

Record Book

Volume 6

May 1906 – March 1909

**April 8, 1908-
August 29, 1908
(Pages 401-500)**

February Adjourned Term - April 8, 1908

grant of said letters be published as the law requires.

In the matter of the estate of (Order of Private Sale of Personalty,
James H. Nickerson, deceased)

Now comes William N. Githens, Administrator of said estate, and files his written application for permission to sell one lot of about 600 bushels of wheat belonging to said estate at private sale, and the Court being satisfied that it will be for the best interest of said estate and not prejudicial to persons interested therein, to sell the same at such sale, it is therefore ordered that said Administrator sell said property at private for not less than its appraised value for cash in hand and that he the same to this Court,

In the matter of the estate of (Proof of Will and judgment establishing same
Mary A. Reid, deceased,)

On this day come Simon Grove and G. F. Reid and produce to the Court an instrument in writing, purporting to be the last will and testament of Mary F. Reid, deceased, and attested by W. L. Brosius, of Gallatin, Missouri; C. L. Hodges of Daviess County Missouri; and James Boltz of Daviess County, Missouri, as witnesses; and the said Simon Grove and G. F. Reid pray that said instrument in writing be proved and admitted to record as the last will and Testament of the said Mary A. Reid, and it being shown to the Court by satisfactory evidence that said Mary A. Reid late of the County of Daviess, died on or about the 24th day of March 1908, in Daviess County, Missouri, the Court proceeded to hear the proof of the execution and publication of said instrument as her last will.

And thereupon come W. L. Brosius and C. L. Hodges two of the said attesting witnesses who being first duly sworn, say respectively, that they were well acquainted with Mary A. Reid, late of Daviess County, deceased, in her life time.

And the said instrument so produced by said Simon Grove and G. F. Reid, purporting to be the last will of said Mary A. Reid, being here shown to them, they each further say that they were present at the execution of said will and saw the said Mary A. Reid sign it on the day of the date thereof, and heard said Mary A. Reid say then and there, that said instrument was her last will and testament; that they

February Adjourned Term - April 8-1908.

subscribed their names as witnesses thereto at the request of said Mary A. Reid, in her presence and in the presence of each other, and of James Bolt, the other subscribing witness to said instrument; that said Mary A. Reid was then of sound and disposing mind and memory, of full age, and not under any restraint and was competent to make a will, which testimony of said witnesses was reduced to writing ^{by the Court} and signed by them respectively.

And now the Court being sufficiently advised by the evidence of said witnesses of the proper and legal execution of said will, it is ordered and adjudged by the Court, that said instrument in writing be considered proven and the same is established and adjudged to be the last will and testament of the said Mary A. Reid, late of said County, deceased, and that it be admitted to record as such.

In the matter of the estate of } Final Settlement & discharge of
Harry R. and Leander Wells, minors } former Curator.

Comes now J. C. Stovall, whose Curatorship of the estate of Harry R. and Leander Wells has been revoked by reason of his having changed his residence to the State of Colorado and submits to the Court for its approval his ^{final} settlement with his said wards of their respective estates, from which it appears that there is due to Harry R. Wells the sum of \$1363.74, and to Leander Wells the sum of \$1405.72; and the Court having examined and approved said final settlement, it is ordered that said J. C. Stovall pay over said sums to his successor James O. Wallace who has duly qualified as Curator of said minors, and that he file herein the receipt of said James O. Wallace for the same.

And now comes said J. C. Stovall and files the receipt of said Wallace for said sums of \$1363.74 and \$1405.72 due said minors as aforesaid, and it is ordered that said final settlement be recorded, and that said J. C. Stovall be discharged.

Ordered that the bond of James O. Wallace as Curator of Harry R. and Leander Wells, taken in vacation March 24, 1908 be and the same is hereby approved

February Adjourned Term - April 8, 1908

Ordered that the Bond of Lawson W. Pennington and Daniel Triem as executors of the last will of Ephraim Kuhns, deceased, taken in vacation of this Court on the 3rd day of April be and the same is hereby approved, and ^{that} their appointment made on the 30th day of March be ratified and confirmed.

In the matter of estate of (Affiant withdraws Complaint -
William N. Deskins, deceased)

Comes now Chas. E. West, affiant in his own person and Edward F. Deskins, Administrator of said estate against whom Complaint of Waste had been alleged, and state to the Court that said matter has been adjusted as between said Edward F. Deskins, and his bondsmen to the satisfaction of said bondsmen, and therefore affiant withdraws the allegations set up in his Affidavit and petition heretofore filed herein.

In the matter of the estate of (Letters Testamentary - Bond approved.
Mary A. Reid, deceased)

Come now Simon Grove and G. F. Reid, who are named in the last will of Mary A. Reid, deceased; and which has been this day proven and admitted to probate; as the executors of said will, and make application for Letters Testamentary, and the Court having confidence in their ability and integrity it is ordered that the said Simon Grove and G. F. Reid be and they are hereby appointed executors of said estate, and before entering upon the duties of said office they are required to give bond as such executors in the sum of Twelve Thousand Dollars with sufficient security and conditioned according to law.

And now come said Simon Grove and G. F. Reid, ^{and} file their bond in said sum of Twelve Thousand Dollars with Benj. Steele, W. H. Cole and H. W. Kindig as securities thereon, and conditioned as the law directs, and it is ordered by the Court that said bond be approved. And it is further ordered that Samuel Kindig and H. W. Kindig be and they are hereby appointed witnesses to make an inventory of said estate, and that said Executors publish notice of the grant of said letters as is by law required.

February Adjourned Term — Wednesday — April 8. 1908

In the Matter of the estate of Samuel Hersherberger, an insane person (Petition to set aside Appointment,

Now at this day Comes Mary C. Hersherberger, wife of the said Samuel Hersherberger, and moves the Court to set aside an order heretofore made at this term of said Court, approving the bond of J. A. Selby as guardian of said insane person, and ratifying and confirming the appointment of said guardian, which said appointment was made and bond taken by the judge of this Court on the 24th day of February, 1908.

And says that said appointment should not be made, ratified and confirmed for the following reasons, viz:

That the said J. A. Selby is not a fit nor proper person to act as such guardian; that the said Samuel Hersherberger has no property or effects that are in need of the care of any guardian, or Curator; that the Administration of the estate of said Samuel Hersherberger was suspended in this Court by an order made at the May term, 1904, thereof, for the reason that there was no estate to administer upon; that the appointment of said J. A. Selby as such guardian was procured surreptitiously and unknown to the family of said insane person; that said family now consists of the petitioner, Mary C. Hersherberger, his wife and his son James Hersherberger, a minor,

That the said Daviess County is not now claiming, nor has it ever made any claim for the maintenance of said insane person in the Asylum at St. Joseph, Mo. as claimed by the petition or motion of Eliza Bascue heretofore filed in this cause in this Court; That the appointment of said guardian is not made for any beneficial purpose for the said Samuel Hersherberger or his family or creditors, but for the purpose of annoying, hindering ^{and} harassing the said wife of Samuel Hersherberger in the enjoyment of her property and effects, and for the purpose of assisting the said Eliza C. Bascue in the prosecution and defence of a suit instituted in the Circuit Court of Daviess County, in which Noah Hersherberger et al are plaintiffs and the said Eliza C. Bascue et al defendants; that in said suit the said J. A. Selby is interested by reason of being the partner of one Boyd Dudley who is the attorney for said Eliza C. Bascue; that the said Eliza C. Bascue is not a member of the family of the

February Adjourned Term ~~Wednesday~~ April 8-1908.

said Samuel Hersberger, and has no interest in the administration of the estate of such insane person,

Wherefore petitioner moves and prays the Court to hold said appointment set aside and held for naught, and for the Court to appoint such proper person as such guardian as will protect the interests of the family of said insane person, and who is not interested in such appointment adverse to the said wife and family of such insane person.

And it appearing to the Court that said J. A. Selby, guardian of the person and estate of the said Samuel Hersberger, has no notice of the pendency of said motion, it is ordered by the Court that the hearing and determination of said motion, be continued until the 10th day of April 1908, upon which day the said motion and the matters and things therein alleged will be taken up, considered and determined by the Court.

Ordered that Court adjourn till 9 O'clock Friday Morning, the 10th inst.

P. P. Dosh,
Judge.

In the Probate Court in Vacation — April 9-1908

In the matter of the estate of (Will probated - letters granted,
Margaret Cornelius, deceased)

Now on this day the instrument of writing, heretofore filed herein, purporting to be the last will and Testament of Margaret Cornelius, deceased, is offered for probate, and the Judge of Probate having seen and examined said instrument of writing, and having also heard the testimony of W.C. Gillihan and R.C. Clevenger the subscribing witnesses thereto in relation to the execution of the same, does declare and adjudge said instrument of writing to be the last will and testament of Margaret Cornelius, deceased, late of Daviess County, and orders the same admitted to probate and to be recorded as such.

P. P. Doak,
Judge of Probate,

In vacation — April 9-1908.

In the matter of the estate of (Letters granted.
Margaret Cornelius, deceased,)

And now comes Lewis B. Gillihan, who is named in the will of said Margaret Cornelius, as executor of the same and makes application for letters testamentary upon said estate, and the Judge of Probate having confidence in said Lewis B. Gillihan as being a suitable and competent person for such trust, it is therefore ordered that the said Lewis B. Gillihan be and he is hereby appointed Executor of said last will, and that before entering upon the duties of said office that he be required to enter into bond to the State of Missouri as such Executor in the sum of \$600.00 with two or more securities to be approved by the Court, and conditioned according to law.

And now comes said Lewis B. Gillihan and files said bond in said sum of \$600.00 with W.C. Gillihan and Rollin J. Britton as securities thereon, which said bond is by the Judge of Probate accepted and approved, and it is ordered that W.H. Hamilton and R. R. Wynne be and they are appointed witnesses to make an inventory of said estate - and that said Ex publish notice of the granting

of said letters in the Gallatin North Missouri^{an} as directed by law

P. P. Doak,

Judge of Probate,

In the Probate Court—In Vacation—April 9-1908.

In the matter of the Estate of } Will Probated-
Jackson Shuler, deceased }

Now on this day an instrument of writing signed by Jackson Shuler, and purporting to be the last will and testament of Jackson Shuler deceased, is offered for probate, and the Judge of Probate having seen and examined said instrument of writing, and having also heard the testimony of Eugene Ham and Nathan Davisson the subscribing witnesses thereto in relation to the execution of the same, does declare and adjudge said instrument of writing to be the last will and testament of Jackson Shuler, deceased, late of Daviess County, and orders the same admitted to probate and to be recorded as such.

And in as much as said will names R. G. Griffith as Executor thereof it is ordered by the Judge of Probate that Letters Testamentary upon said estate be granted to the said R. G. Griffith provided the said R. G. Griffith enter into bond to the State of Missouri as such executor in the sum of Forty Thousand (\$40000⁰⁰) Dollars with two or more securities to be approved by the Court, and conditioned according to law,

P. P. Doak

Judge of Probate.

February Adjourned Term — Friday — April 10 — 1908.

Court met pursuant to adjournment — O.P. Doak, judge and W.T. Hutchison Sheriff; when the following proceedings were had, to wit:

In the matter of the estate of { Order setting aside appointment.
Samuel Hershberger, Insane.

Now at this day comes Mary C. Hershberger in her own proper person, and by her attorneys, and J. A. Selby, being represented by his attorney Boyd Dudley, the motion of Mary C. Hershberger, heretofore made and filed at this term of this Court, on the 8th day of April, 1908, moving the Court to set aside its order made at this term of this Court on the 16th day of March 1908, approving ratifying and confirming the appointment of J. A. Selby as the guardian of the person and estate of Samuel Hershberger, an insane person, made by the Judge of this Court in vacation on the 24th day of February 1908, is taken up by the Court. And the Court after hearing the pleadings and evidence adduced doth find that the said J. A. Selby has been duly notified of the pendency of said motion and of the time when the same would be taken up by the Court for consideration and determination, and that the matters and things alleged in the motion of said Mary C. Hershberger are true.

And the Court further finds, adjudges and decrees that the said J. A. Selby, is not a fit, suitable or proper person to act as the guardian of the said Samuel Hershberger an insane person; and that the said Samuel Hershberger at this time has no property or effects.

Wherefore it is ordered by this Court that the said motion of the said Mary C. Hershberger be in all things sustained, and it is ordered, adjudged and decreed by the Court, that the order of this Court, made at the present term thereof, on the 16th day of March, 1908, in the matter of the estate of Samuel Hershberger, an insane person, be set aside and held for naught, and that the appointment of said J. A. Selby, as guardian of the said Samuel Hershberger, be not approved, confirmed or ratified.

That such appointment of said J. A. Selby by the Judge of this Court in vacation on the 24th day of February, be not approved, ratified, nor confirmed, but that such appointment be set aside, and held

for naught for the reason that the court finds, adjudges and decrees that the said J. A. Selby is not a suitable, fit, nor a proper person to act as such guardian

Ordered that the Bond of Lewis B. Gillihan, as executor of the last will of Margaret Cornelius, deceased, taken in vacation April 9, 1908 be and the same is hereby approved, and his appointment as such executor ratified and confirmed,

Ordered that Court adjourn till Court in Course.
O. P. Doak,
Judge,

In the Probate Court - In Vacation - April 11 - 1908

In the matter of the estate of (Affidavit and Bond for appeal.
Samuel Hersberger, Insane.)

Comes now J. A. Selby, guardian of said insane Samuel Hersberger, and files his Affidavit and bond for appeal from the order the said probate court made on the 10th day of April, 1908, setting aside the orders previously made, to-wit: An order made by the Judge of said Court in vacation on the 24th day of February 1908, appointing said J. A. Selby as guardian of said Samuel Hersberger, and an order made by said Court on the 16th day of March approving the bond of said J. A. Selby as such guardian, and ratifying and confirming the appointment of said guardian.

And it is ordered that said bond for appeal be approved and that a transcript of said proceedings be certified to the Circuit Court.

O. P. Doak
Judge of Probate

In the Probate Court - In Vacation - April 11-1908

In the matter of the estate of
 Sherman Whitt, Mattie M. Whitt, Margaret Whitt,
 Mabel Whitt and Eva V. Whitt, minors } Choice and appointment of Curator

The Judge of Probate having had notice that Sherman Whitt, Mattie M. Whitt, Margaret Whitt, Mabel Whitt and Eva Viola Whitt, children of Adolphus Whitt who resides in Daviess County, and Lizzie Whitt, deceased, have property not derived from the said Adolphus Whitt of the value of \$400+, and that they have no legal Curator or other person authorized by ^{law} to collect and preserve said property for said minors; that two of said minors are above the age of 14 years, whereupon the Judge of Probate notified said Sherman Whitt and Mattie M. Whitt to choose a Curator for themselves, and said Sherman and Mattie M. made choice in writing of W. L. Stroup as their Curator, and the said Adolphus Whitt, father of said minors, also requested that said W. L. Stroup be appointed Curator of said Margaret Whitt, Mabel Whitt and Eva Viola Whitt, and the Judge of Probate having confidence in said W. L. Stroup as being a suitable person to fill said trust it is therefore ordered that said W. L. Stroup be and he is appointed Curator of the estate of said Sherman Whitt, Mattie M. Whitt, Margaret Whitt, Mabel Whitt and Eva Viola Whitt, and that said W. L. Stroup be required to enter into bond for the use and benefit of said minors in the sum of One Hundred (\$100.00) Dollars with two or more securities to be approved by the Court, and conditioned for the faithful discharge of ^{his} duties as such Curator.

And now comes said W. L. Stroup and accepts said trust and files his said bond in said sum of \$100.00 ^{with H. F. Whitt and Jas. E. Whitt Sureties thereon} and said bond is by the Judge of Probate accepted and approved.

P. P. Doak,

Judge of Probate

In the Probate Court - In Vacation - April 14th 1908,

In the matter of the estate of (Administration Granted,
Martha H. Compton deceased)

Now this day comes Elisha L. Frost, and makes affidavit as required by law, and makes application for letters of Administration upon the estate of Martha H. Compton, who died intestate in Daviess County on the 8th day of April, 1908. Leaving as her heirs Della May Ryanhart, who resides in Sullivan County, Missouri, Lula D. Howard, who resides in Daviess County, Mo., Cecil Maude Compton, who resides in Daviess County, Mo.,

Chloe Compton

" " " " " "

Sarah E

"

" " " " " "

Daniel F

"

" " " " " "

And said Cecil Maude, Chloe and Sarah E. Compton waiving their right to administer on said estate and requesting that letters thereon be granted to said E. L. Frost, and their being no other person entitled to said letters as next of kin, it is therefore ordered that letters of Administration upon said estate be granted and issue to said Elisha L. Frost, provided he enter into bond to the State of Missouri as such Administrator in the sum \$1200⁰⁰ with two or more good and sufficient securities and conditioned according to law,

And now comes said Elisha L. Frost and files said bond in the sum of \$1200⁰⁰ with W. C. Gillihan and Jehiel T. Day as securities thereon and conditioned as the law directs, which said bond is by the judge of Probate ordered approved.

And it is further ordered that and be and they are appointed witnesses to make inventory of said estate, and that said Administrator publish notice of the grant of said letters according to law.

J. P. Doak

Judge of Probate.

In the Probate Court - In Vacation - April 14-1908.

In the matter of the Estate of (Bond filed - Letters issued,
Jackson Shuler, deceased)

Comes now R. H. Griffith and files his bond as Executor of the estate of Jackson Shuler, deceased, in the sum of Forty Thousand Dollars (\$40000⁰⁰) with David Shuler, Zachariah Shuler, Orpha Witten and Harry Witten as securities thereon, and conditioned as the law directs

And it is ordered by the Judge of Probate that said bond be approved, and that M. R. Cole and J. M. Brown be appointed to accompany said Executor and assist in examining the Books and papers of said deceased, and to make an inventory of the property belonging to said estate, and that said Executor publish notice of the grant of said letters.

P. P. Doan,

Judge of Probate.

In the Probate Court in Vacation - April 16, 1908

In the matter of the Estate of
 Delbert Browning, Jestine Browning } Guardian and Curator appointed,
 And Mary Browning, minors)

Comes now James M. Blankenship and represents to the Judge of said Court that Delbert Browning, Jestine Browning and Mary Browning are minors aged respectively 11, 7 and 5 years; that their parents George Browning and Fannie Browning (later Fannie Munn) are both dead; that when the mother, the said Fannie Munn died, which event occurred something near a year ago, that she left said minors in the care of said petitioner and his wife; that they have had the custody of said children ever since, that they have an inheritance as heirs at law of Geo. W. Ace, late of Porter County Indiana whose estate has been administered and order of distribution made; that their said mother also had some personal property in Logan County, Kansas, when she died of which said minors ought to have the use and benefit; that they have no guardian of their persons or their estate. ^{said petitioner} he, ^{said petitioner} requests the said judge to appoint him guardian of the persons and estate of said minors.

And said Judge having heard said petition and the evidence in relation thereto, and being satisfied that in order to the proper conservation of said property and care of said minors it is ordered that said James M. Blankenship, who it appears is the proper person for said trust, be and he is hereby appointed Guardian of the persons and Curator of the estates of said Delbert Browning, Jestine Browning and Mary Browning and that he enter into bond to the State of Missouri

for the use and benefit of said minors in the sum of \$750⁰⁰ with two or more securities to be approved by the Court, and conditioned according to law.

And now comes said James M. Blaukenship and files herein said bond in the sum of \$750⁰⁰ with John D. Troxel and John W. Meade as securities thereon and conditioned as the law directs, and said Bond is by the judge of Probate approved.

P. P. Doak,

Judge of Probate.

In the Probate Court — In Vacation — April 20-1908

In the matter of the Estate of (Will Probated,
Mollie E. Fisher, deceased)

Now on this 20th day of April, 1908, an instrument of writing signed by Mollie E. Fisher, and purporting to be the last will and testament of Mollie E. Fisher, deceased is offered for Probate and the Judge of Probate, having seen and examined said instrument of writing, and having also heard the evidence of W. F. Shultz, Elsie Glasscock and Rolling J. Britton subscribing witnesses thereto in relation to the execution of the same, do declare and adjudge said instrument of writing to be the last will and testament of Mollie E. Fisher, deceased, Late of Daviess County, and the same is therefore admitted to probate and ordered to be recorded.

And it appearing Frank A. Fitterer and Oscar L. Fitterer are named in said will as Executors of the same, and the Judge of Probate believing them to be suitable and competent persons to execute said will, it is ordered that letters testamentary be granted and issue to the said Frank A. and Oscar L. Fitterer upon said estate, provided, that the said Frank A. Fitterer and Oscar L. Fitterer enter into bond to ^{the} State of Missouri, as such executors, in the sum of \$10,000⁰⁰, with two or more securities to be approved by the court, and conditioned according to law.

P. P. Doak,

Judge of Probate.

In the Probate Court - In Vacation - April 20-1908.

In the matter of the estate of { Choice of Guardian. Bond filed
Daniel F. Compton, a minor }

Now on this day comes Daniel F. Compton and represents to the Judge of Probate that he is a minor heir of Martha H. Compton, deceased, aged 17 years and that he has no guardian of his person or curator of his estate, and chooses, for his guardian and curator, Elisha L. Frost and requests the Judge of Probate to appoint him, the said Elisha L. Frost, such guardian and curator. And appearing that said Daniel F. Compton is entitled to the possession of a home stead interest in 60 acres of land of which the said Martha H. Compton died seized, and that he owns other property that requires the attention of a guardian, and the Judge of Probate reposing confidence in the said E. L. Frost as being a suitable person for such guardianship, it is ordered that said Elisha L. Frost be, and he is hereby appointed guardian of the person and curator of the estate of the said Daniel F. Compton, and that he be required to enter into bond to the State of Missouri for the use and benefit of said Daniel F. Compton in the sum of \$500.00 with two or more sufficient securities to be approved by the Court, and conditioned according to law.

And now comes said E. L. Frost and files his ^{said} bond in the sum of \$500.00 with Geo. R. Allen and J. W. McClaskey as securities thereon, and conditioned as the law directs, which said bond is by the Judge of Probate accepted and approved.

P. O. Doak,
Judge of Probate.

In the Probate Court - In Vacation - April 20

In the matter of the estate of { Guardian chosen
Francis Kelley and Ollie Kelley, minors }

Come now W. H. Dreon and H. H. Looner and represent and show to the Judge of Probate that Francis Kelley aged 19 and Ollie Kelley aged 14 years are the heirs of James Kelley

and Florence Kelley who are both dead; that said minors are entitled under the provisions of Section 3620 R.S., 1899, to the possession of the NE 1/4 SE 1/4 of Section 35; Twp. 58; R. 26; in Daviess County, which said land was owned by said James Kelley, deceased, and occupied by him as a homestead at the time of decease, and continued to be occupied by his widow, the said Florence Kelley till the time of her death on March 4, 1908; that the said Florence Kelley left a small amount of personal property to which said Ollie Kelley has a right under Section 110 of said R.S. of Mo., 1899; that, ^{said} minors have no legal guardian of their persons or property - and pray said Judge of Probate to take such action in the premises as in his judgment will be just and right and for the best interests of said minors. And it appearing that said minors are entitled to choose their own guardian, and being directed to do so, they, the said Francis Kelley and Ollie Kelley choose Joe C. Russel, and request that he be appointed such guardian and the Judge of Probate approving said choice it is ordered that said Joe C. Russel be appointed guardian of the person and curator of the estate of said Francis and Ollie Kelley,

And now comes said Joe C. Russel and accepts said guardianship and files his bond as such in the sum of \$1000. with Sam Russell and R. H. Brett as securities thereon and conditioned as the law directs, which bond is by the Judge of Probate approved.

J. P. Doak,

Judge of Probate.

In the Probate Court - In Vacation - April 24 - 1908

In the matter of the estate of { Order to sell the Personalty.
Francis Kelley and Ollie Kelley, minors }

Comes now Joe C. Russel, Guardian of said minors and says the personalty of said minors consisting some live stock and a few old farm tools and some household and kitchen furniture ought to be sold and the proceeds put to interest for the benefit of said minors and asks that an order to sell the same be made - and the Judge of Probate being satisfied that such sale would be beneficial to said minors - it is therefore ordered that said guardian sell said property at public sale after giving notice of the time and

place of said sale, and description of property to be sold, by publication in some newspaper, or by posting bills containing such advertisement for not less than 10 days prior thereto, for cash or on time, which ever in his judgment will best conserve the interests of said minors, and that he report said sale to this court:

P. P. Doak,

Judge of Probate,

In the Probate Court In Vacation April 25, 1908

In the matter of the estate of } Will Probated - Letters granted - Bond filed.
Matilda Taylor, deceased }

Now on this day an instrument of writing signed by Matilda Taylor, and purporting to be the last will and testament of Matilda Taylor deceased is produced before the Judge of Probate to be proven and admitted to probate, and the Judge of Probate having examined said instrument of writing, and having heard the testimony of L. A. Plowman, David M. Heath and James K. Heath subscribing witnesses thereto in relation to the execution of the same, doth declare and adjudge said instrument of writing to be the last will and testament of Matilda Taylor, deceased, late of Daviess County, and the same is therefore admitted to probate and ordered to be recorded.

And it appearing that Francis M. Taylor has been named in said will as Executor thereof, and said Francis M. Taylor ^{being} a suitable and otherwise competent person for said trust, it is therefore ordered that letters testamentary be granted on said estate, and issues to said Francis M. Taylor, and that he enter into bond to the State of Missouri as such executor in the sum of \$6500⁰⁰ with two or more securities, and conditioned according to law. And now comes said Francis M. Taylor and files said bond in the sum of \$6500⁰⁰ with James K. Heath and Rollin J. Britton as securities thereon, and conditioned as the law directs - And it is further ordered that James K. Heath and L. A. Plowman be appointed witnesses to make an inventory of said estate, and that notice of the grant of said letters be published in the Gallatin Democrat -

P. P. Doak,

Judge of Probate.

In the Probate for the County of Daviess - In Vacation - May 8 - 1908.

Estate of Ellen Kirk, (Order refusing Letters of Administration
Deceased.)

Now at this day Comes Mr. H. Kirk widower of said deceased and shows to the Judge of said Court that she, the said Ellen Kirk, late of the County of Daviess, deceased, who died, having at the time of her death personal property in this State, not greater in amount than is allowed by law as the absolute property of the widower.

To the end, therefore, that the said Mr. H. Kirk as such widower may be authorized and empowered to collect, sue for and retain said property, as his absolute property, as provided by law, it is ordered that Letters of Administration on said Estate be refused, unless on the application of Creditors or other parties interested, the existence of further or other property be shown.

P. P. Doak,

Judge of Probate.

In the Probate Court - In Vacation - May 7th, 1908.

In the matter of the Estate of } Bond filed.
Mollie C. Fisher, deceased }

Come now Frank A. Fitterer and Oscar L. Fitterer, and file herein their Bond as Executors of the last will and Testament of Mollie C. Fisher, deceased, in the sum of Ten Thousand (\$10,000⁰⁰) Dollars, with John W. Meade, E. S. Mann and Rollin J. Britton as Securities thereon, and conditioned as the law directs, which said bond is by the Judge of Probate accepted and approved. And the said Frank A. Fitterer and Oscar L. Fitterer having duly qualified letters testamentary on said estate issue to them in pursuance of the order made on the 20th day of April, 1908.

And it is ordered that John W. Meade and E. S. Mann be, and are hereby appointed witnesses to aid said Executors make an inventory of said estate, and that notice of the grant of said letters be published according to law.

P. P. Doak, Judge of Probate.

May Term — Monday — May 11th 1908.

State of Missouri } ss.
County of Daviess }

Be it Remembered that at a Regular Term of the Probate Court of Daviess County, Missouri, begun and held at the Court House in the City of Gallatin, County and State aforesaid on Monday, May 11, 1908, there being present P. P. Doak, Judge of said Court, and W. S. Hutchison, Sheriff, when the following proceedings were had, and entered of record, to-wit: —

Ordered that the Bond of Francis M. Taylor, as Executor of the last will of Matilda Taylor, deceased - taken in vacation of this Court on the 25th day of April, 1908 be approved, and that his appointment as Executor of said estate be ratified and confirmed -

Ordered that the Bond of W. L. Stroup as Curator of the estate of Eva Viola Witt, et al, minors, taken in vacation April 11, 1908, be approved and that his appointment be ratified and confirmed

Ordered that the Bond of Elisha L. Frost, as Administrator of the estate of Martha W. Compton, deceased, taken in Vacation - on April 14, 1908, be approved and his appointment ratified and confirmed

Ordered that the Bond of Richard T. Griffith as Executor of the last will of Jackson Shuler, deceased, taken in vacation, April 15, 1908, be approved and that his appointment be ratified and confirmed,

Ordered that the Bond of J. M. Blankenship, ^{as} Guardian and Curator of the person and estate of Mary Browning, et al taken in vacation April 16, 1908 be approved, and that his appointment be ratified and confirmed,

Ordered that the Bond of Elisha L. Frost as Guardian and Curator of the person and estate of Daniel F. Compton, a minor, taken in vacation April 20, 1908 be approved and that his appointment be ratified and confirmed,

May Term — Monday — May 11th 1908.

Ordered that the Bond of Joe C. Russel as Guardian and Curator of Francis Kelley and Ollie Kelley, minors, Taken in Vacation April 20, 1908 be approved and that his appointment be ratified and confirmed.

Ordered that the Bond of Frank A. Fitterer and Oscar L. Fitterer as Executor of the last will of Mollie E. Fisher, deceased, taken in Vacation, May 4th 1908, be approved and that his appointment be ratified and confirmed.

In the matter of the estate of } Judgment Establishing Will,
Margaret Cornelius, deceased)

It being shown to the Court now here, that in Vacation of this Court to wit; on the 9th day of April, 1908, an instrument of writing purporting to be the last will and testament of Margaret Cornelius, deceased, and attested by W. C. Gillihan and R. C. Clevenger as witnesses, was produced before the Clerk of this Court to be proved and admitted to record, as the last will of said Margaret Cornelius, deceased, and said Clerk proceeded to take the testimony of W. C. Gillihan and R. C. Clevenger said attesting witnesses, which was by said Clerk reduced to writing, and signed by them respectively, and is now here produced in Court. And said Clerk having declared said will proved, granted a Certificate of Probate on said 9th day of April, 1908.

And the Court having inspected said will, and seen and heard the testimony of W. C. Gillihan and R. C. Clevenger the attesting witnesses so taken in Vacation, as to the execution of said will, and being sufficiently advised: — It is ordered and adjudged by the Court that said instrument be considered proved, and the same is adjudged to be the last will of said Margaret Cornelius, deceased. And the said proceedings and action of the Clerk in the premises, are in all things ratified and confirmed, and it is ordered that said will be admitted to record.

May Term - Monday - May 11th 1908.

In the matter of the estate of {
Ephraim Kuhns, deceased} Judgment Establishing Will.
It being shown to the Court now here, that
in vacation of this Court, to wit, on the 24th
day of March, 1908, an instrument of writing
purporting to be the last will and testament
of Ephraim Kuhns, deceased, and attested by Jacob
H. Klepper and Carl Steward as witnesses, was
produced before the ^{Clerk of this} Court to be proved and
admitted to record, as the last will of said
Ephraim Kuhns deceased, and said Clerk proceed-
ed to take the testimony of Jacob H. Klepper, one of
said attesting witnesses, ^{which was by said Clerk reduced to writing and signed by him} and it appearing that Carl Steward the other
attesting witness is now a resident of Logan County, Oklahoma, said
Clerk did on said 24th day of March 1908, issue a commission to take the
deposition of said Carl Steward which Commission, and deposi-
tion, ^{reduced to writing and signed by said Carl Steward} was by G. V. Ball, Notary Public within and for said Logan
County, Oklahoma, returned to this Court under date March 28,
1908, and was duly filed herein on March 30, 1908, and said
testimony is now here produced in Court, and said Clerk
having declared said will proved, granted a certificate of
Probate on said 30th day of March, 1908,

And the Court having inspected said will, and seen
and heard the testimony of Jacob H. Klepper and Carl
Steward the attesting witnesses, so taken in vacation,
as to the execution of said will, and being sufficiently
advised: - It is ordered and adjudged by the Court that
said instrument be considered proved, and the same is
adjudged to be the last will of said Ephraim Kuhns,
deceased, And the said proceedings and action of the Clerk
in the premises, are in all things ratified and confirmed,
and it is ordered that said will be admitted to record

In the matter of the estate of {
Jackson Shuler, deceased} Judgment Establishing Will.

It being shown to the Court now here, that in vacation
of this Court - to wit, on the 9th day of April, 1908 an instrument
of writing purporting to be the last will and testament of Jackson
Shuler, deceased, and attested by Eugene Ham and Nathan David-
son as witnesses was produced before the Clerk of this Court

May Term — Monday — May 11 — 1908

to be proved and admitted to record, as the last will of said Jackson Shuler, deceased, and said Clerk proceeded to take the testimony of Eugene Ham and Nathan Davisson said attesting witnesses, which was by said Clerk reduced to writing, and signed by them respectively, and is now here produced in Court. And said Clerk having declared said will proved, granted a Certificate of Probate on said 9th day of April, 1908. — And the Court having inspected said will, and seen and heard the testimony of Eugene Ham and Nathan Davisson the attesting witnesses, so taken in vacation, as to the execution of said will, and being sufficiently advised: —

It is therefore ordered and adjudged by the Court that said instrument be considered proved, and the same is adjudged to be the last will of said Jackson Shuler, deceased. And the said proceedings and action of the Clerk in the premises, are in all things ratified and confirmed, and it is ordered that said will be admitted to record

In the matter of the Estate of Judgment Establishing Will,
Mollie E. Fisher, deceased)

It being shown to the Court now here, that in vacation of this Court, to-wit: on the 20th day of April, 1908, an instrument of writing purporting to be the last will and testament of Mollie E. Fisher, deceased, and attested by W. F. Shultz, Gallatin, Mo., Elsie Glasscock, Gallatin, Mo. and Rollin J. Britton, Gallatin, Mo. as witnesses, was produced before the Clerk of this Court to be proved and admitted to record, as the last will of said Mollie E. Fisher, deceased, and said Clerk proceeded to take the testimony of W. F. Shultz, Elsie Glasscock and Rollin J. Britton said attesting witnesses, which was by said Clerk reduced to writing, and signed by them respectively, and is now here produced in Court. And said Clerk having declared said will proved, granted a Certificate of Probate on said 20th day of April, 1908.

And the Court having inspected said will, and seen and heard the testimony of W. F. Shultz, Elsie Glasscock and Rollin J. Britton the attesting witnesses, so taken in vacation, as to the execution of said will, and being sufficiently advised: — It is ordered and adjudged by the Court that said instrument be considered proved, and the same is adjudged to be the last

May Term — Monday — May 11, 1908.

Will of said Mollie E. Fisher, deceased. And the said proceedings and action of the Clerk in the premises, are in all things ratified and confirmed, and it is ordered that said will be admitted to record.

In the matter of the estate of } Judgment Establishing Will
Matilda Taylor, deceased }

It being shown to the Court now here, that in vacation of this Court, to-wit: on the 25th day of April, 1908, an instrument of writing purporting to be the last will and testament of Matilda Taylor, deceased, and attested by L. A. Plowman, David M. Heath and James K. Heath as witnesses, was produced before the Clerk of this Court to be proved and admitted to record, as the last will of said Matilda Taylor, deceased, and said Clerk proceeded to take the testimony of L. A. Plowman, David M. Heath and James K. Heath said attesting witnesses, which was by said Clerk reduced to writing, and signed by them respectively, and is now here produced in Court. And said Clerk having declared said will proved, granted a Certificate of Probate on said 25th day of April, 1908.

And the Court having inspected said will, and seen and heard the testimony of L. A. Plowman, David M. Heath and James K. Heath the attesting witness so taken in vacation, as to the execution of said will, and being sufficiently advised: It is ordered and adjudged by the Court that said instrument be considered proved, and the same is adjudged to be the last will of said Matilda Taylor, deceased. And the said proceedings and action of the Clerk in the premises, are in all things ratified and confirmed, and it is ordered that said will be admitted to record.

In the matter of the estate of } Order Approving Sale of Real Estate
Jacob A. Stitt, deceased }

Now this day comes Katie A. Stitt Executrix of said Jacob A. Stitt by her attorney Rollin J. Britton and submits to the Court her report of sale, (which report was heretofore filed herein to-wit on the 15th day of February 1908 - and was for cause by this Court continued under advisement) - by which it appears that she did, on Saturday the 15th day

May Term - Monday - May 11 - 1908

of February, 1908, in obedience to the order of this Court made at the November Term 1907, thereof, sell at public auction to R. J. Fargy for the sum of Sixteen Hundred and Fifty (\$1650.00) Dollars, the real estate in said order of Court and report, particularly described, viz:

The North West quarter ($\frac{1}{4}$) of the North East quarter ($\frac{1}{4}$) of Section Thirteen (13), Township Sixty-One (61), and Range Twenty-Nine (29) in Daviess County, Missouri, containing 40 acres more or less, and it appearing that said sale was legally and fairly conducted, pursuant to the order of the Court and in accordance with the Statute, it is therefore ordered that the said sale be and the same is hereby approved and confirmed, and the said executrix is ordered to execute, acknowledge and deliver to said R. J. Fargy, a deed in due form of law, conveying to the said R. J. Fargy, all the right, title and interest which the deceased had in the same at the time of death.

In the matter of the estate of { Order Confirming Sale,
Thomas B. Jackson, deceased }

Now comes Martha S. Jackson, Administratrix of said Thomas B. Jackson, deceased, and submits to the Court her report of sale, by which it appears that she did, on Tuesday the 5th day of May, 1908, in obedience to the order of this Court made at the November term 1907 thereof, and renewed at the February term 1908, thereof, sell at private sale to H. E. Brown for the sum of Seven Hundred and Fifty (\$750.00) Dollars, the real estate in said order of the Court and report, particularly described, viz:

Block Two (2) in the town of Altamont, in Daviess County, Missouri,

Also that part of Section thirty (30) in township fifty-nine (59) of Range twenty-eight (28) in Daviess County, Missouri, described as follows; beginning at the North West corner of Block three (3) in the said town and running thence with the west line of said block three (3) if extended, North ninety-three and five tenths (93.5) feet; thence West two hundred and forty-nine and three tenths (249.3) feet more or less to a point which is one hundred and fifty-six and three tenths (156.3) feet

May Term — Monday — May 11th 1908.

North of the North West Corner of Block four (4) in said town; thence South to the North West Corner of said Block four (4) and thence Easterly on a curved line which is the Northern boundary of said town, as platted, to the point of beginning, except the West two hundred and fourteen and three Tenths (214.3) feet of the tract last above described which part belongs to W. H. Cole.

Also the following tract in said Section thirty (30) described as follows — Beginning at the North West Corner of Block two (2) in the said town and running thence with the East line of Maine Street in said town if extended North one hundred and five and three tenths (105.3) feet more or less to a point which is two hundred and twenty five (225) feet distant from the center line of the railroad of the said Railway Company as now located and constructed on a line drawn at right angles with such center line and South thereof; thence Easterly on a line parallel with said center line and two hundred and twenty five (225) feet distant therefrom and South thereof, three hundred and seventy six (376) feet more or less, to a point North of the North-East Corner of Block One (1) in the said town; thence South one hundred eighty eight and five tenths (188.5) feet, more or less, to the North East Corner of said Block one (1); and thence westerly on a curved line which is the Northern boundary line of the said town as platted, to the point of beginning, Containing one and twenty three hundredths (1.23) acres of land, be the same more or less. — And it appearing that said sale was legally and fairly conducted, pursuant to the order of the Court and in accordance with the Statute, it is therefore ordered that the said sale be and the same is hereby approved and confirmed, and the said Administrator is ordered to execute, acknowledge and deliver to said Hoz Brown a deed in due form of law, conveying to the said Hoz Brown, all the right, title and interest which the deceased had in the same at the time of his death.

In the matter of the Estate of { Order Confirming Sale.
Thomas B. Jackson, deceased }

Now Comes Martha L. Jackson, Administratrix of said Thomas B. Jackson, deceased, and submits to the Court her

May Term — Monday — May 11 — 1908,

report of sale, by which it appears that she did, on Tuesday the 5th day of May, 1908, in obedience to the order of this court made at the November Term, 1907 thereof, and renewed at the February Term, 1908, of said court, sell at private sale to H. E. Brown for the sum of Eleven hundred and twenty five (\$1125.00) Dollars, the real estate in said order of court and report, particularly described, viz:

The South thirty-six (36) feet of the North one hundred and sixty-six (166) feet of the East one hundred and fifty-five (155) feet of Lot Three (3) in Flourney's Heights, an Addition to the City of Kansas in said County, described as follows: — All that portion

of Lot Three (3) in Flourney's Heights an addition to the City of Kansas City, more particularly described as follows, to-wit: —

Beginning at a point, on the west line of Brooklyn Avenue, as now established, One hundred and thirty (130) feet South of the South-West Corner of Brooklyn Avenue as now established, and Twenty Second Street, and running thence South along the West line of Brooklyn Avenue, as now established,

thirty six (36) feet, thence West One hundred and fifty feet (150) ^{thence north and parallel with the west line of said Brooklyn Avenue thirty six (36) feet, thence East} to the place of beginning, subject, however to the right

of way for a sewer across a portion of said land, as contained in deed dated May 19th, 1902 and recorded in Book B,

at page 549, in the records of Jackson County, Missouri, and situated in the City of Kansas City in the County of Jackson and State of Missouri.

And it appearing that said sale was legally and fairly conducted, pursuant to the order of the court and in accordance with the statute, it is therefore ordered that the said sale be and the same is hereby approved and confirmed, and the said Administratrix is ordered to execute, acknowledge and deliver to said H. E. Brown a deed in due form of law, conveying to the said H. E. Brown all the right, title and interest which the deceased had in the same at the time of his death.

In the matter of the Estate of (Final Receipts filed - Ex discharged, Martha A. Youtsey, deceased)

Comes now James M. Wilson, Ex. of the estate of said Martha A. Youtsey, deceased, and files the receipts of the distributees of said estate for their respective shares of said estate as per order of distribution made on the final

One hundred and fifty (150) feet

May Term ~ Monday ~ May 11th 1908

Settlement of said Ex. made at the February term of this Court viz: Receipt of Mary J. Shannon for the sum of \$194.⁵⁶
 " " Julia A. Burkett " " " 194.⁵⁶
 " " Martha C. Youtsey " " " 194.⁵⁶
 " " Boyd Dudley, Trustee John M. Youtsey " " " 194.⁵⁶
 " " Katie M. Youtsey " " " 194.⁵⁶

And it appearing that said estate has been fully administered according to the provisions of the last will of said deceased; that all the debts and legacies have been paid in full; that the balance due said estate on said final settlement has been distributed according to the order of this Court, and that the proof of Final Settlement notice is on file in this office - it is therefore ordered that said Executor be discharged, herein.

In the matter of the Estate of (Final Receipts filed - partial discharge)
 Christopher Reno, deceased

Comes now Olisha L. Frost, ^{Admr. of said estate,} and files the receipts of the following distributees of said estate for their respective distributive shares thereof on the final settlement ^{and distribution} of the same as per order of this Court made at the February term thereof, to-wit: -

The receipt of Joseph Reno for the sum of	\$146. ¹³
" " " Henry A. Smith " " "	48. ⁷¹
" " " Mrs Maggie Sweizer " " "	146. ¹³
" " " J. T. Reno " " "	146. ¹³
" " " Fannie Reno " " "	146. ¹³
" " " Miss Lucy Reno " " "	146. ¹³
" " " Mrs Emma Stewart " " "	146. ¹³
" " " H. N. Reno " " "	146. ¹³
" " " Mrs. C. A. Bruce (nee Ella Reno) for the sum of	146. ¹³
" " " Earnest Christopher Smith	48. ⁷¹

And it is ordered that said Administrator be discharged as to the above named distributees.

In the matter of the estate of (Final receipt filed - Partial discharge)
 Tillitha McDow, deceased

Comes now M. C. Gillihan, Ex. of Estate of said deceased and files receipt of A. D. Youtsey, curator of M. E. & F. A. Youtsey, minors, for \$2.00 the sum of the specific legacies under the

May Term Monday May 11th 1908

the provisions of the last will of said deceased. And it is ordered that said Executor be discharged as to said Willis E. Youtsey and Frank A. Youtsey.

In the matter of the estate of } Final Receipts filed
Mary E. Morris deceased }

Comes now Wm. J. Morris, Administrator of the estate of Mary E. Morris, deceased, and files final receipts of S. H. Morris, Mrs. Samantha Shaver and Wm. J. Morris, each for the sum of \$289.79 the same being their respective distributive shares as shown by the order of distribution on the final ^{settlement} of said estate made at the August Term 1907 of this Court.

And said estate being fully administered and notice of Final Settlement having been published and proof filed herein, it is ordered that said Admr. be discharged.

Estate of Robert Rader, deceased } Allowance of Demand,
Mrs. Francis V. Rader, Admrx. }

Comes now W. R. Litton, and presents to the Court for allowance against said estate a Demand in the sum of \$22.⁰⁵ founded on account for merchandise bought by deceased in his lifetime. Service of notice waived in writing and Affidavit and proof made it is ordered that same be allowed against said estate in said sum of \$22.⁰⁵ and assigned to Class five.

In the matter of the estate of } Demand allowed and classed,
Robert Rader, deceased }

Comes now The Farmers Store by Agent & Manager Stephens, and presents to the Court for allowance against said estate a Demand for \$5.²³ founded on acct. Service of notice waived and Affidavit and proof made it is ordered that same be allowed in Class five.

Estate of } Appropriation to pay for monument
S. S. Dutro deceased }

Comes now J. W. Dutro, ^{Executor} and represents to the Court that he has a monument erected to mark the grave of deceased, at a cost of \$195.⁰⁰ and asks the Court

May Term — Monday — May 11th 1908.

to make an order of record authorizing him to pay said sum of \$195⁰⁰ out of the assets of said estate.

And it appearing from the evidence that such order will not be prejudicial to the rights of Creditors or others interested in said estate; it is ordered that an appropriation of \$195⁰⁰ be made out of said assets for said purpose, and that said Executor be allowed to take Credit for said sum in his settlement of said estate.

In the matter of the estate of { Final Settlement and Discharge
W. G. Armstrong, deceased }

Comes now John H. Johnson, Executor of the estate of said W. G. Armstrong deceased and files his final settlement of said estate, from which it appears that there is a balance remaining in his hands for distribution of \$668.04, and it ordered to be distributed according to the provisions of the will of deceased as follows:—

To Sarah C. Gamble the sum of	\$222.68
" Katie J. Johnson " " "	222.68
" Mary J. Reed " " "	222.68

And now comes said John H. Johnson said Executor and files the receipts of said Sarah C. Gamble, Katie J. Johnson and Mary J. Reed, each for the sum of \$222.68, and it appearing that said estate is fully administered, that all the debts and legacies thereof are paid; that notice of said final settlement was duly published and the proof filed herein it is therefore ordered that said final settlement be approved and recorded, and that said Executor be discharged.

In the matter of the Estate of { Order Confirming Sale.
William Hannah, insane }

Now comes Alvin S. Hannah Guardian of said William Hannah, insane, and submits to the Court his report of sale, by which it appears that he did on Friday the 20th day of March 1908, in obedience to the order of this Court made at February Term 1908, thereof, sell at private sale to Lewis S. Stubbs, for the sum of One hundred and fifty (\$150⁰⁰) cash in hand, the real estate in said order of Court and report, particularly

May Term — Monday — May 11th 1908.

described, viz: — Lots Thirteen (13) and Fourteen (14) in Block Two (2) in Allenwood Addition to the City of Bethany, in the County of Harrison and State of Missouri, And it appearing that said Sale was legally and fairly conducted, pursuant to the order of the Court and in accordance with the Statute, it is therefore ordered that the said Sale be and the same is hereby approved and Confirmed, and the said Guardian is ordered to execute, acknowledge and deliver to said Lewis S. Stubbs, a deed in due form of law, conveying to the said Lewis S. Stubbs all the right, title and interest which his said ward has in said Real Estate

In the Matter of the Estate of { Allowance in lieu of Provisions;
Ephraim Kuhns, deceased }

Comes now Amanda Kuhns, widow of said Ephraim Kuhns, deceased, and represents to the Court: That at the time of the death of said deceased there were no grains, meat, vegetables, groceries and other provisions on hand and provided for the subsistence her self

Wherefore she prays the Court to make an allowance to her in lieu of provisions not on hand as aforesaid, as provided by law, out of the assets of the estate of said deceased, and she believes that the sum of \$150. is a reasonable amount to supply said deficiency, and the Court having heard said petition and the evidence in relation thereto and being satisfied with the reasonableness of said claim, it is therefore ordered that said sum of \$150.00 so prayed for be allowed for said purpose, and that ^{the Executors of} said estate pay to said widow, said sum of \$150.00, and that her receipt for same shall be a proper voucher in their settlement of said estate.

In the matter of the Estate of { First Annual Settlement —
Wm. S. Beard, deceased }

Comes now Jas. W. Beard, Administrator of Wm. S. Beard, deceased, and files his first Annual Settlement of said estate, and there being some exceptions to said settlement filed, said settlement, with exceptions continued under advisement till the 23rd inst.

May Term — Monday — May 11th, 1908.

Ordered that the 1st Annual Settlement of Arch S. Youtsey Curator of Lewis A. Butler and Melinda M. Butler, minors this day filed be approved and recorded.

In the matter of the estate of } Order Partial Distribution
William S. Beard, deceased }

Comes now James M. Beard Administrator of the estate of said Wm. S. Beard deceased, and represents and shows to the Court that there is a balance due said estate of \$789.20 as shown by his ^{his} first annual settlement this day filed; that to the best of ^{his} knowledge and belief all the debts of said estate have been paid; that some of the heirs of said estate are in need of the money due them, and asks for an order to make a distribution of a part of said assets to said heirs.

And the Court being satisfied that the same will not be needed to pay debts: it is therefore ordered that a partial distribution of ^{said} assets be made, as follows, to-wit:

✓ To Henry D. Beard	the sum of	\$75.00	} = \$675.00
✓ " Margaret Henderson	" " "	75.00	
✓ " Sallie Beard	" " "	75.00	
✓ " Nettie Runnels	" " "	75.00	
✓ " Bettie Hagadorn	" " "	75.00	
✓ " John A. Beard	" " "	75.00	
✓ " Wm. J. Beard	" " "	75.00	
" Jas. M. Beard	" " "	75.00	
✓ " Clarence Beck	" " "	37.50	
✓ " Flora Ellen Beck	" " "	37.50	

Ordered that Court adjourn till to morrow morning at 9 o'clock.

P. P. Doak, Judge.

May Term Tuesday May 12th 1908-

Court met pursuant to adjournment - present P. P. Doak, Judge and W. T. Hutchison Sheriff, when the following proceedings were had, to wit: -

In the matter of the estate of { Herman A. Conaway, minor } Final Settlement, and discharge

Comes now Rebecca Conaway, Guardian and Curator of said minor, and files her final settlement of his estate which settlement shows that said Curator has been charged with nothing at all - that no property, whatever has come into her possession by reason of said Curatorship.

And Comes said Herman A. Conaway, and in open waives the necessity of the filing of any final settlement Exhibit, or service of notice of the same, and states that he is twenty one years of age and fully competent to consent to the discharge of said Guardian and Curator; that he is satisfied of the correctness of said settlement, and therefore, does consent to the final discharge of said Curator.

It is therefore ordered that said settlement be approved and recorded, and that said curator be discharged.

Estate of Mary A. Clay { Final Settlement and Discharge } Deceased

Comes now Joe. A. Mann, Administrator of said Mary A. Clay deceased, and files his final settlement of said estate, which shows that nothing remains in the hands of said Administrator. And it appearing that all the debts against said estate have been fully paid and that notice of said final settlement ^{has been} duly published and proof thereof filed - It is therefore ordered that said final settlement be approved and recorded and said Administrator discharged herein.

In the matter of the estate of { Julius M. Gant, deceased } Final Settlement filed.

Comes now Samuel Gant Administrator of said estate, and files his final settlement of the

May Term — Tuesday — May 12th, 1908.

same, and it appearing to the Court that a balance of assets in the sum of \$715.20 remains in ^{his} hands to be distributed.

And said Administrator asks for an order to distribute the same as follows, to wit:—

To Samuel Gant the sum of	\$119.20
" Agnes Goodbar " " "	119.20
" Richard Gant (or N.S. Givens Assignee of said Richard Gant) the sum of	119.20
" Mary Houghton " " "	119.20
" Averil Gant " " "	119.20
" Nannie Gant " " "	119.20

and said settlement together with said distribution is continued ^{under advisement} to the 23rd inst.

In the matter of the estate of { Final Settlement & Discharge
Geo. E. Conrad deceased

Comes now Faith L. Conrad, Executrix of said Geo. E. Conrad, deceased, and final settlement of the same. And it appearing that final settlement notice has been published and proof filed according to law; that all the debts and legacies have been paid, and said estate has been fully administered, and that there is nothing remaining in her hands for distribution, It is therefore ordered that said final settlement be approved and recorded and that said Executrix be discharged,

Ordered that the 5th Annual Settlement of W. J. Melton Executor of Robt F. Bennett deceased, this day filed, be approved and recorded,

Ordered that the first Annual Settlement of Samuel A. Lord, Guardian of Chas. H. Bouton, insane, this day filed be approved and recorded,

Ordered that the First Annual Settlement of Rachel V. Brown, Administratrix of E. J. Brown, deceased, this day filed be approved and recorded,

May Term - Tuesday - May 12th, 1908.

Ordered that the First Annual Settlement of Rachel V. Brown, Curator of the estate of Robt. Hugh Brown, et al, minors, this day filed be approved and recorded,

Ordered that the First Annual Settlement of Braxton Browning, curator of Claude E. Calvin and Cecil L. Calvin, minors, this day filed be approved and recorded,

Ordered that the First Annual Settlement of Mr. J. Mathews, Administrator of the estate of Robert B. Adams, deceased, this day filed be approved and recorded,

Ordered that the Fifth Annual Settlement of E. M. Foley, Jr, Curator of Taylor Graybill, a minor this day filed be approved and recorded,

In the matter of the estate of } Demand allowed and classified.
E. J. Brown, deceased, }

Comes now Mrs. E. J. Brown, Admrx of E. J. Brown, deceased, and presents to the Court for allowance against said estate a Demand for \$114.59, founded on the receipts of various persons for money paid by said Administratrix on Claims against said deceased, as follows, to wit: Dr. H. E. Souger, Medical services during last sickness \$ 37.59
Dr. R. V. Thompson " " " " 10.00
" G. N. Sutcliffe Medical services 5.00
To amount paid Buren Furniture Co, Funeral Exp- 62.00
all of which were paid by said Administratrix with her own money - And there being no Co-Administrator it is ordered that Thomas R. Shaw be and he is hereby appointed to appear in behalf of said estate pending the trial of said matter,

And Comes now said Thomas R. Shaw and in Open Court waives service of notice of the presentation of said Claim, and by agreement of the parties the same is submitted to the Court on the evidence - and affidavit and proof made it is ordered that said Demand in the sum of \$114.59 be allowed against said

May Term — Tuesday — May 12th, 1908.

estate and that it be assigned to Class Five (5).

In the Matter of the Estate of (Order Private Sale Personal Property,
James M. Goins, deceased)

Comes now E. M. Foley, Jr. Administrator of the estate of James M. Goins, deceased, and represents to the Court that the personal property of said deceased consists in part of some corn, in crib, a small amount of Household and kitchen furniture, which he thinks can be sold at better advantage at private sale than it can at public sale, owing to the small amount of said property, and asks the Court to make an order authorizing him to sell the same at such sale.

And the Court being satisfied from the evidence in relation to said matter that said order ought to be made, it is therefore ordered that said Administrator be and he is hereby authorized to sell the same at such sale, and that he report said sale to this Court.

Ordered that 5th Annual Settlement of Jas. J. A. Carter, Curator of Edith V. Carter, a minor this day filed be approved and recorded.

Ordered that the 1st annual settlement of Joshua W. Alexander's Executor of the last will of Thomas A. Gaines, deceased this day due be continued till the 17th day of June, 1908.

Ordered that the annual settlement of the Executor of the last will of the Estate of J. D. Grove, deceased, be continued.

Come now the Studebaker Bros. M. Co. and present to the Court for classification against said estate a transcript judgment against said deceased rendered in his life time for \$67.²⁵, and service being waived in open court and affidavit made.

Ordered by the Court that same ^{in sum of \$60.00 be} entered as a 6th class demand against said estate.

Ordered that Court adjourn till tomorrow morning at 8 O'clock.

P. F. Doak

May Term - Wednesday - May 13th, 1908,

Court met pursuant to adjournment - present R. P. Doak, Judge, and H. F. Whitt Deputy Sheriff, when the following proceedings were had, to wit: -

Ordered that the 8th Annual Settlement of R. E. L. Gaines, Guardian and Curator of Roy C. Gaines, a minor, this day filed be approved and recorded,

In the matter of the estate of { Margaret B. Kingdon, Insane } Final Settlement & Discharge

Comes now William R. Kingdon, Guardian of said Margaret B. Kingdon, Insane, and files his final Settlement of said estate, and it appearing that said departed this life on the day of October, 1907, and that said Guardian had published notice of his intention to make final settlement of said estate at this term of this Court in the Jamesport Gazette, a newspaper published in this County for four weeks as the Statute requires - and that there are no heirs of said insane person resident in this state to be served with personal notice of said Settlement - And it appearing that the estate of said insane person has been entirely exhausted in her care and maintenance It is therefore ordered that said Settlement be approved and recorded and that said Guardian be discharged.

Ordered that the Annual Settlement of L. P. Dall Curator of the estate of Harry A. Horn, this day due be continued to the August term, 1908, of this Court, for final Settlement,

In the matter of the Estate of { James M. Johnson, deceased } Final and Discharge of Distribution

Comes Chas. M. Johnson, Administrator of the estate of James M. Johnson deceased, and files his final Settlement of said estate, which shows a balance due said estate of \$246.²³ and it is ordered that said balance be distributed

May Term ~ Wednesday ~ May 13th, 1908,

among the heirs of said deceased as follows, to wit:-

To Mary C. Johnson the sum of	\$61.55
" Jacob F. Johnson " " "	61.55
" George S. Johnson " " "	61.55
" Susan E. Cunningham the sum of	61.55

and it appearing that said Administrator has published notice of said Final Settlement as the law directs and that said estate is fully administered it is therefore ordered that said Administrator pay to said distributees the above mentioned sums and that he file herein their respective receipts for the same and that upon so doing he shall be entitled to a discharge herein, and that said final Settlement be approved and recorded.

In the matter of the estate of (Final Settlement - Discharge
James F. Johnson, deceased)

Come now Melvin O. Johnson and Eugene Johnson, Administrators of the estate of said James F. Johnson, deceased and file their Final Settlement of said estate which shows a balance for distribution of \$391.37 and it is ordered that same be distributed among the heirs of deceased as follows, to wit:-

To Quinton M. Johnson the sum of	\$97.85
" Melvin O. Johnson " " "	97.85
" Francis J. Johnson " " "	97.85
" Eugene Johnson " " "	97.85

And now Come said Administrators and file the receipts Quinton M. Johnson and Francis J. Johnson each for the sum of \$97.85 and the joint receipt of Melvin O. and Eugene Johnson for the sum of \$195.70 and it appearing that proof of the publication of Notice of final Settlement has been made according to law, and the said estate has been fully administered and all the debts paid: it is ordered that said final Settlement be approved and recorded, and that said Administrators be discharged

May Term — Wednesday — May 13th, 1908.

Ordered that the First Annual Settlement of Tyler Adams, Curator of the estate of Wm. Tyler Kidding, a minor, this day filed be approved and recorded.

In the matter of the estate of { Demand allowed and classified
James H. Nickerson, deceased }

Comes now Dr. C. R. Woodson, and presents to the Court for allowance against said estate a Demand for \$106.17 on account of 4 weeks care and treatment at Sanitarium at \$25.00 per week and other services, service of notice waived in writing, and affidavit and proof made, it is ordered that said account be allowed against said estate and assigned to Class two.

Estate of { Allowance of Demand.
Jas. H. Nickerson deceased }

Comes now D. E. Heaton, undertaker, and presents to the Court for allowance against said estate a Demand for \$152.75 on account of funeral of deceased. And service of notice being waived in writing and affidavit and proof made it is ordered that same be allowed in said sum of \$152.75 and assigned to Class one.

Estate of { Allowance of Demand
Jas. H. Nickerson deceased }

Comes now Ira Day and presents to the Court for allowance against said estate a Demand for \$102.25 on account of two trips with hearse - service of notice waived in writing and affidavit and proof made it is ordered that same be allowed against said estate and assigned to Class one.

Estate of { Allowance of Demand.
Jas. H. Nickerson deceased }

Comes now Mary D. Nickerson, and presents to the Court for allowance against said estate a Demand for \$276.06 on account of bills at various times paid by said claimant for said deceased - And service of Notice being waived in writ.

May Term — Wednesday — May 13th 1908.

ing, and affidavit and proof made - it is ordered that same be allowed against said estate in the sum of \$276.⁰⁶ and that same be assigned to Class No. five.

Estate of James Huston, minor } Ordered that the annual settlement of E. M. Foley, jr, Curator of said James Huston, minor, this day due be continued to the August Term 1908, of this court

Ordered that the ^{annual settlement of} H. M. Thomlinson, Curator of M. D. Luerla Knight this day due be continued to the August Term 1908,

In the matter of the Estate of } Order to redeem Mortgaged Property,
Jas. H. Nickerson, deceased }

W. N. G. Thums, Administrator of the estate of Jas. H. Nickerson, deceased, appears and presents to the Court his petition setting forth that on the day of , 1907, the said deceased purchased from Chas. N. Dickerson the following described real estate, to-wit: -

The North half of the North West quarter; and the North half of the East three fourths of the South half of the North West quarter of Section twenty-one (21); Township Sixty-one (61); Range Twenty-eight (28); that on the purchase of said real estate he assumed the payment of a mortgage incumbrance on the same of \$2000.⁰⁰ which obligation has not been discharged; that one half of said incumbrance falls due on the first day of June, 1908 - the rest of said debt one year from said date; that there are personal assets belonging to said estate, now in hands sufficient to pay said debt which will not be needed to pay the debts of the estate; that he believes it will be for the best interest of said estate to pay said mortgage as the same falls due.

Wherefore petitioner prays the Court to make an order authorizing and empowering him to redeem said real estate from said incumbrance, and it appearing to the Court that there are sufficient assets in the hands of said Administrator to pay said incumbrance and still have sufficient assets with which to meet and pay all other claims against said estate; It is therefore ordered by the Court that said W. N. G. Thums, Administrator as aforesaid, redeem said incumbered real estate out of the personal assets of the estate,

Ordered that Court adjourn till to-morrow morning at 8 o'clock
P. P. Doak, Judge

May Term — Thursday — May 14th 1908.

Court met pursuant to adjournment — present P. J. Dook, judge, and M. J. Hutchison, sheriff, when the following proceedings were had, to wit:

In the matter of the estate of } Final Settlement and Discharge
Hazel Harwood, a minor }

Now comes W. C. Gilligan Curator of said Hazel Harwood — now Hazel Reese — she having been married to Edgar Reese on the 28th day of April, 1908 — and come said Hazel Reese and her husband, and the said Curator having filed a final settlement exhibit herein and served a copy of the same upon his said ward as is by statute required, he proceeds to settle his account with his said ward which ^{settlement} shows that there is due to said Hazel the sum of \$363.00, and the same is accepted by her as being in full of all money and property due her from said Curator — which sum is by the said Hazel Reese (nee Hazel Harwood) and her husband the said Edgar Reese duly receipted, and said receipt is filed herein with said settlement — and it is ordered that said settlement and receipt be approved and recorded, and said Curator discharged.

Ordered that the First Annual Settlement of W. C. Gilligan, Administrator with will annexed of Ann M. Luce, deceased, this day filed be approved and recorded.

Ordered that Eighth Annual Settlement of Mary E. Lierley Curator of Rosa Ree Lierley, minor, this day filed be approved and recorded.

Ordered that the 5th Annual Settlement of Rollin J. Britton Curator of Lola Mason, minor, this day filed be approved and recorded.

Ordered that the 4th Annual Settlement of Chas. A. Scott Curator of Jas. D. Matchett, minor, this day filed be approved and recorded.

Ordered that the 4th Annual Settlement of L. M. Best Guardian & Curator of Elmer D. Lambert, et al, minors, this day filed be approved and recorded.

May Term — Thursday — May 14th, 1908.

Ordered that the 7th Annual Settlement of B. A. Puckard Curator of John F. Lambkin, et al, this day filed be approved and recorded.

Ordered that the 26th Annual Settlement of Joe M. Cox guardian of Emily Minnick, Insane, this day filed be approved and recorded.

In the matter of the estate of (Final Settlement & discharge Jacob Earl Miller, Minor.)

Comes now Mary J. Earl Curator of said Jacob Earl Miller and files herein her final Settlement of the estate of said minor, which shows a balance due said ward of \$535.81,

And comes now the said Jacob Earl Miller and in open Court waives the filing of a Final Settlement Exhibit or the service of notice of such exhibit and says that he is twenty one years of age, and is competent to receipt his said guardian for the balance due to him from her, and that he accepts said balance as being in full of all money and property due him by said Curator.

And the court having examined said Settlement and finding it correct doth order the same to be approved and recorded, and that said guardian and Curator be discharged.

In the matter of the Estate of (Final Settlement & Discharge William McCarty, deceased)

Comes now John W. Meade, Executor of the last will of said William McCarty, deceased, and files his final Settlement of said estate, which shows that said estate has been fully administered according to the provisions of the will of deceased, and that all debts and legacies have been paid and that nothing remains in said executor's hands to distribute or disburse and proof of final Settlement notice duly filed, it is ordered that said final Settlement be approved and recorded, and that said Executor be discharged.

May Term — Thursday — May 14th 1908

Ordered that the 5th Annual Settlement of E. M. Foley Curator of Harley E. and Frank M. Baramore, minors, this day filed be approved and recorded

Ordered that the First Annual Settlement of H. C. McDougal Executor of the last will of John F. McDougal, deceased, this due be continued till the May Term, 1909, for final settlement,

In the matter of the estate of { Allowance of Demand,
James H. Nickerson, deceased }

Comes now Oscar P. Meadows, and presents to the Court for allowance against said estate, a Demand for \$177⁵⁰ founded on a note given by J. C. Nickerson to said Claimant, and secured by a Chattel Mortgage on three Mules, and it appearing from the evidence submitted to the Court that without a knowledge of said incumbrance on said mules, the Administrator of said estate had them included in the Inventory of said estate, and proceeded to sell them and the proceeds are reconed as assets of said estate in the hands of said administrator, the Court therefore, considers said note as a valid claim against said estate, and it is ordered that it be allowed as such in the fifth Class.

In the matter of Estate of { Allowance of Demand
Jas. H. Nickerson, deceased }

Comes now Charley D. Duvall and presents to the Court for allowance against said estate a Demand for One hundred Twenty Six & 25/100 Dollars, founded on a note given by deceased Service of notice waived, Affidavit & proof made, it is ordered that same be allowed in above sum against said estate and assigned to Class Five.

Ordered that Court adjourn till 8 O'clock tomorrow morning

P. P. Doak
Judge

May Term — Friday — May 15th 1908

Court met pursuant to adjournment — present P. P. Doak Judge and W. T. Hutchinson Sheriff, when the following proceedings were had, to wit:

In the matter of the estate of (Final Settlement & Distribution
Anthony Robinson, deceased) & Discharge

Comes now Robt. V. Thompson, Administrator of the estate of Anthony Robinson, deceased, and files his final settlement of said estate, which ^{shows} a balance due said estate (after taking credit for the sum of \$36⁰⁰ unpaid interest on a \$500. note of J. M. Robinson, who is a distributee of said estate) the sum of \$89.46 which ordered distributed as follows, to wit:

To Samantha Nichols Distributive Share, the sum of \$29.82
 " Sarah E. Maxwell " " " " " 29.82
 " Jno. R. Handy " " " " " 29.82
 " J. M. Robinson a credit on said unpaid interest of 29.82
 Said credit being \$6.78 less than the balance due from said J. M. Robinson to said estate.

And said Administrator files herein the receipts of Samantha Nichols, Sarah E. Maxwell and Jno. R. Handy distributed as aforesaid for their respective shares of \$29.82 each and the note of J. M. Robinson with said credit of \$29.82 thereon, and it further appearing that Notice of Final Settlement has been published as the law directs, and that said estate is fully administered, it is ordered that said Administrator be discharged.

Ordered that the first Annual Settlement of W. B. James Administrator of Hannah M. Frazier, deceased, this day filed be approved and recorded.

Ordered that the First Annual Settlement of Martha L. Jackson Curator of Martha and Florence Green this day filed be approved and recorded.

Ordered that the Third Annual Settlement of William R. Patton Curator of Bertha L. Patton et al this day filed be approved and recorded.

May Term — Friday — May 15th 1908,

Ordered that the first annual settlement of Samuel and Lillie Pliley, Administrators of the estate of John Pliley deceased, this day filed be approved and recorded.

Ordered that the first annual settlement of Jacob W. Railsback Curator of Ward Railsback a minor this day filed be approved and recorded,

In the matter of the estate of
Leslie R. Robinson, Flora G. Robinson,
Mabel M. Robinson and Geo. A. Robinson } Final Settlement { Discharge as to
Leslie R. & Flora G.
& suspension as
to Mabel & George,

Comes now Bertha A. Robinson, Curator of said minors and files her final settlement of her account with Leslie R. and Flora G. they having attained their respective majorities.

And it appearing that said Curator has filed a final settlement Exhibit of her account with said Flora G. Robinson in this Court as by law required and that said Flora has been duly served with a copy thereof, and has also receipted in due form her said Curator for the sum of Three & 25/100 dollars the balance due her by said Curator as shown by said final settlement Exhibit and final settlement which receipt is filed herein - and said Leslie R. also in Open Court appears and waives the necessity of the filing Final Settlement Exhibit, and service of Notice upon of said Exhibit, and states that he is 21 years of age - and in open Court accepts the balance of \$3.25 as shown by said final settlement of his acct. by said Curator and receipts her for the same as being in full of money and property due from his said guardian - It is therefore ordered that said settlement with said Flora G. Robinson and Leslie Robinson be approved and recorded and that said Curator be discharged as to them.

It also appearing that the estate of Mabel M. and Geo. A. Robinson is exhausted - it is further ordered the settlement of said Curator's account with said minors be also approved and recorded, and that said Curatorship be suspended till such time as the Court shall order the same resumed,

May Term — Friday — May 15th 1908.

Ordered that First Annual Settlement due this day by John E. Robinson, Executor of Lelia Robison, deceased be continued to the May term 1909 of this Court for final Settlement —

In the matter of Estate of { Appointment of Curator, Approval of Bond
John Colbert Robison, minor }

Comes now John E. Robison and represents to the Court that John Colbert Robison aged two years, residing in Daviess County, Mo, is a child of petitioner, residing in Daviess County, and Lelia Robison, deceased late of said County, that she, the said John Colbert Robison owns Real and personal property inherited from said Lelia Robison, deceased, of the probable value of \$1000.⁰⁰ and in addition to the said real estate estate, and a piano probably worth \$200.⁰⁰, by the provisions of the last will of said Lelia Robison deceased, he is made the sole beneficiary of the proceeds of the whole of a certain tract of land till he arrives at the age of twenty one years.

And to the end that said property may be properly conserved for the benefit of said minor-petitioner requests that he be appointed Curator of said minor.

And the Court believing that said John E. Robison is the proper person for such Curatorship—being the father of said minor—it is therefore ordered that ^{he} be appointed Curator of the estate of said John Colbert Robison, and that he enter into Bond to the State of Missouri for the use and benefit of said John Colbert Robison, minor, in the sum of Three hundred (\$300.⁰⁰) Dollars, with two or more securities, and conditioned for the faithful discharge of his duties according to law,

And now Comes said John E. Robison and files said Bond with James Birge and W. C. Wampler as securities thereon, and it is ordered by the Court that said Bond be and the same is hereby approved,

In the matter of the Estate of { Sale of Realty Confirmed
Lewis Clifford Culver, minor }

Now Comes Wm. J. Culver, Curator of Lewis Clifford Culver, a minor, and submits to the Court his report of sale, by which it appears that he did on Friday

May Term — Friday May 15th 1908.

the 14th day of February, 1908, in obedience to the order of this Court made at the February Term, 1908, thereof, sell at private sale to William Boor for the sum of two hundred and forty three dollars, in cash, the real estate in said order of Court and report particularly described, viz;

The undivided ($\frac{1}{14}$) one fourteenth interest in the East ($\frac{1}{4}$) forty-five acres of the West half of the North east quarter of Section Three (3) Township (58) Fifty eight, and the South East quarter of the South East quarter of Section Thirty four (34) in Township (59) Fifty nine all in Range Twenty eight (28) in Daviess County Missouri, and it appearing that said sale was legally and fairly conducted, pursuant to the order of the Court and in accordance with the statute, it is therefore ordered that the said sale be and the same is hereby approved and confirmed, and the said Curator is ordered to execute, acknowledge and deliver to said William Boor a deed in due form of law, conveying to the said William Boor all the right, title and interest which his ward, the said Lewis Clifford Culver, has in the same.

Ordered the 2nd Annual Settlement of Chas. L. Knauer, Curator of Martha E. Brodbeck, et al, minors this ^{day} filed be approved and recorded.

Ordered that the final settlement of ^{of James M. Offield} James M. Offield, Executor of the estate of Joseph Offield, deceased, heretofore filed and continued from term to term be again continued to the May Adj. Term, 1908, of this Court, to wit on June 19, 1908.

Ordered that Court adjourn till 8 O'Clock tomorrow morning,

P. P. Soak,
Judge,

May Term Saturday May 16th 1908.

Court met pursuant to adjournment - present O. P. Doak, Judge, and W. T. Hutchison Sheriff, when the following proceedings were had, to-wit:

In the matter of the estate of } Allowance of Demand,
James Robb, deceased }

Come now Minor and Treas by Geo. A. Richardson, Manager and present to the Court for allowance against said estate a Demand for \$26.²² founded on a note for \$33.¹⁸ dated Jan 28-1907 at 80% from date - Credit July 17-07 \$10.⁰⁰ - Service of Notice waived in writing - Affidavit and proof made - it is ordered that same be allowed in the sum of \$26.²² against said estate and assigned to Class No. five.

In the matter of Est. of } Allowance of Demand,
Jas. Robb deceased }

Comes now W. T. Furst and presents to the Court for allowance against said estate, a Demand for \$65.²² Balance on a note given by said deceased, Service of Notice being waived in writing and Affidavit and proof made, it is ordered that the same be allowed against said estate, in said sum, and that it be assigned to class five.

In the matter of the Estate of } Allowance of Demand,
James Robb, deceased }

Comes now Calvin Fisher and presents to the Court for allowance against said estate a Demand for \$40.⁹⁰, Balance on a note given by deceased - Service of Notice being waived in writing, and Affidavit and proof made it is ordered that same be allowed against said estate in said sum and assigned to Class five

In the matter of the estate of } Allowance of Demand
James Robb, deceased }

Comes now John A. Dunn and presents to the Court for allowance against said estate a Demand for \$107.³³ founded on a promissory note given by deceased in his life time - Service of Notice being

May Term — Saturday — May 16th, 1908.

waived in writing and affidavit and proof made - it is ordered that said note be allowed against said estate in the sum of \$107.³³ and assigned to Class five.

In the matter of the Estate of } Allowance of Demand.
Geo. B. Smith, deceased }

Comes now F. M. Barnes and presents to the Court for allowance against said estate a Demand for \$74.⁵² founded on a note given by deceased ^{to} Dr. J. B. Graham, and service of notice being waived in writing, and affidavit and proof made, it is ordered that same be allowed against said estate in said sum of \$74.⁵² and assigned to Class five.

Ordered that the 14th Annual Settlement of Frank B. Ray, Curator of Morthy D. Ray, a minor this day filed be approved and recorded.

Ordered that the 10th Annual Settlement of Joshua B. Scott, Curator of Fannie Scott et al, minors this day filed be approved and recorded,

Ordered that the 1st Annual Settlement of John W. Meade, Curator of Archie Searcy a minor, this day filed, be approved and recorded.

In the matter of the estate of } Final Settlement - Order of Discharge
Earl V. Short, deceased }

Comes now George W. Norton Public Administrator, having in charge the estate of Earl V. Short, deceased, and files his final settlement of said estate which shows that said estate has been entirely exhausted, and that nothing remains in the hands of said Administrator, and it appearing to the Court that said estate has been fully administered and all the debts paid, and that said Administrator has published notice that Final Settlement, thereof would be made at this term of this Court, it is therefore ordered that said final settlement be approved and recorded, and that said Administrator be discharged herein.

May Term — Saturday — May 16th 1908.

Ordered that the first Annual Settlement of John W Meade, Adm. of the estate of Mrs. C. Speaker, deceased, this day filed be approved and recorded,

Ordered that the final Settlement of Katie A. Stitt, Executrix of Jacob A Stitt, deceased, this day due be continued till Saturday the 23rd inst.

In the matter of the ^{estate of} (Final Settlement, and Order. Distribu-
James Naugh, deceased

Comes now Jas. M. Royston Executor of the last will of James Naugh, deceased, and files his final Settlement of said estate, which shows a balance due said estate of four hundred ten & 50/100 (\$410.50) dollars, and it appearing that that all debts and legacies have been paid according to the provisions of said will - it is ordered that said Balance be distributed to the remaindermen as follows, to wit:

To James W. Beard	\$136.83
To James W. Sharrah	136.83
To Mrs. Charlotte A. Wager,	136.83,

And that said Executor pay to said devisees their respective shares, and that he file herein their receipts for the same when he shall be entitled to a discharge.

Ordered that the 4th Annual Settlement of Thomas Wilson, Curator of Albert H. Wilson, a minor, this day filed be approved and recorded,

Ordered that the Annual Settlement of Mrs. Louisa J. Witten Curator of the estate of Georgia Witten, et al, minors, this day due be continued to the August Term, 1908 of this Court.

Ordered that the 4th Annual Settlement of Arch S. Youtsey Curator of Willis E. and Frank A. Youtsey, minors, this day filed be approved and recorded.

Ordered that Court adjourn till the 23rd inst at 9 o'clock A. M.

P. L. Doak
Judge

In Vacation — May 20, 1908

In the matter of the estate of } Administration Granted.
Benjamin F. Grimes, deceased,

Comes now Mary R. Grimes, widow of said Benjamin F. Grimes, deceased, and makes application for letters of administration on the estate of said deceased, and having made affidavit as is by law required, giving the names and residences of the heirs of deceased, and ^{stating} that said Benjamin F. Grimes died without a will May 14, 1908; That she will make a perfect inventory of and faithfully administer all the estate of the deceased, and pay the debts as far as the assets will extend and the law direct, and account for and pay all assets which shall come to her possession or knowledge, and it appearing that deceased had at the time of his death personal property of the probable value of \$500.00 and the said Mary R. Grimes being entitled to administer upon said estate it is therefore ordered that Letters of Administration be granted and issue to said Mary R. Grimes upon said estate and that she be required to enter into bond to the State of Missouri as such Administrator in the sum of \$1000.00 with two or more securities and conditioned according to law.

And now comes said Mary R. Grimes and files said Bond in the sum of \$1000.00 with Thomas P. Reed and R. J. Britton as securities thereon and conditioned as the law directs, which bond is by the Judge of Probate approved.

And it is further ordered that Thos. P. Reed and Jas. H. Weldon be appointed witnesses to make the inventory of said property, and that said Administrator publish notice in some newspaper published in Daviess County, that letters have been granted to her.

P. P. Doak

Judge of Probate

May Adjourned Term — Saturday — May 29th, 1905.

Court met pursuant to adjournment; present P. P. Doak, Judge and H. J. Hutchison Sheriff; when the following proceedings were had, to-wit:

In the matter of the estate of } Final Settlement and Discharge,
Jacob A. Stitt, deceased }

Comes now Katie A. Stitt, Executrix, of Jacob A. Stitt, deceased and files her final settlement of said estate.

And it appearing that proof of Notice of Final Settlement was filed at the February term of this Court, and that said notice together with the final settlement at that term due were for cause continued to this term, and it now appearing that said estate is fully administered, the debts all paid, and that nothing remains in the hands of said Administratrix for distribution it is therefore ordered that said final settlement be approved and recorded, and that said Executrix be discharged.

In the matter of the estate of } Approval of First Annual Settlement,
William S. Beard, deceased }

Comes now James M. Beard Administrator of the estate of Wm. S. Beard, deceased, and comes also Mrs Nettie Runnell ^{and} of the heirs and distributees of said estate, and said Administrator submits a corrected settlement which is by agreement of the parties substituted for the settlement heretofore filed and it is ordered by the Court that same be approved and recorded.

Ordered that the first annual settlement of Geo. U. Norton, Pub. Admr. and Ex-Officio public guardian, having charge of the Estate of Gertrude Grove, et al, minors, this day filed be approved and recorded.

In the matter of the estate of } Order of Publication,
James Robb, deceased }

Now at this day comes George U. Norton, Public Administrator having in charge the estate of James Robb, deceased and presents to the Court his petition praying for the sale of so much of the real estate of said deceased,

as will pay and satisfy the remaining debts due by said estate, and yet unpaid for want of sufficient assets, accompanied by the accounts, lists and inventories, required by law in such cases, on examination whereof it is ordered that all persons interested in the estate of said deceased be notified that application as aforesaid has been made, and that unless the contrary be shown on or before the first day of the next term of this Court, to be held on the 2nd Monday of August, 1908, an order will be made for the sale of the whole or so much of the real estate of said deceased as will be sufficient for the payment of said debts, and it is further ordered that this notice be published in the Jamesport Gazette, a newspaper published in this County and State, for four weeks before the next term of this Court, and that personal service of this notice be made on the heirs of deceased, resident in said County, at least ten days before the next term of this Court.

In the matter of the estate of } Final Settlement ^{(from} approved. Order distributed
Julius M. Gant, deceased }

The final settlement of Samuel Gant, Administrator of the Estate said Julius M. Gant, deceased, heretofore filed, and by the Court taken under advisement is taken up, and N. S. Givens here exhibits to the Court ^{an} instrument of writing purporting to be a Quitclaim deed to all the interest of Richard Gant in all the estate, Real and personal, of said Julius M. Gant, deceased, which said deed (which is also an assignment of the interest of the said Richard Gant in and to the estate of the said Julius M. Gant, deceased) is duly acknowledged.

It is therefore ordered by the Court that a distribution of the balance shown by said settlement filed as aforesaid be distributed as follows: -

To Samuel Gant \$119.20; to Agnes Goodbar \$119.20
To Richard Gant \$119.20; (this share to be paid to N. S. Givens, the aforesaid assignee of said Richard Gant upon the execution of proper voucher) To Mary Houghton \$119.20;
To Averil Gant \$119.20, to Nannie Gant \$119.20, and that said Administrator pay said sums to the aforesaid distributees and that he file there respective receipts for the same in this Court, and that said final settlement be approved and recorded.

May Adjourned Term — Saturday — May 23rd, 1908

In the matter of the estate of } *Petition for allowance continued,*
Mary F. Whitt, deceased

Comes now M. E. Whitt, widower of said Mary F. Whitt, deceased, and petitions the Court for a years allowance in lieu of provisions not on hand, and said matter is by the Court continued to the 19th of June, 1908.

Estate of L. A. Ellis, deceased, } *Allowance and Classification of Demand,*
Robert E. Maupin Administrator

Comes now J. T. Gough, and presents to the Court for allowance against said estate, a demand for \$131⁰⁰, funeral expenses of deceased. Notice being waived in writing, and Affidavit and proof made it is ordered that same be allowed against said estate in sum of \$131⁰⁰ and costs — and assigned to Class No. One (1)

Estate of L. A. Ellis, deceased } *Demand allowed and Classified,*
Robert E. Maupin, Admr.

Comes now C. H. Munderstein and presents to the Court for allowance against said estate a Demand for \$6⁰⁰ on acct of stock food bought by deceased, service of notice waived — Affidavit and proof made — it is ordered that said acct be allowed against said estate in the sum of Six (\$6⁰⁰) Dollars and costs in Class No. Five.

In the matter of the Estate of } *Appropriation for monument,*
A. H. Love, deceased

Come now L. M. Love admr of said deceased et al, Distributors of said Estate and ask the Court to make an appropriation out of the assets of said estate for the erection of monument at the graves of deceased, and his wife, and say that the sum of \$80⁰⁰ will be needed for that purpose; that the money is now in the hands of the Admr.; that same will not be needed to pay debts. It is therefore ordered that said appropriation be made in the sum of \$80⁰⁰, and that receipt for same be allowed as a proper voucher in settlement of said Administrator.

Ordered that Court adjourn till 9 A.M. Friday June 19, 1908.

P. P. Doak

Judge of Probate

In the Probate Court in vacation — May 25th, 1908,

In the matter of the estate of } Resignation of Administratrix.
Benjamin F. Grimes, deceased }

Comes now Mary R. Grimes, widow of said Benjamin F. Grimes, deceased, and submits to the judge of Probate her resignation as administratrix of said deceased, and it appearing that the claims of said Mary R. Grimes against said estate have been adjusted as between her and the heirs of said Benjamin F. Grimes, deceased, as per the antenuptial contract entered into between the said Benj F. and Mary R. it is therefore ordered that said resignation be accepted and that the order made by the judge of Probate in vacation on the 20th inst. whereby the said Mary R. Grimes was appointed Administratrix of the said Benjamin F. Grimes, deceased, be declared of no effect.

And it is ordered that the cost of this proceeding be taxed against said Mary R. Grimes,

P. P. Doak,

Judge of Probate.

In the Probate Court in Vacation — June 15th 1908.

In the matter of the Estate of }
Joseph C. Irwin, Robert E. Irwin, } Appointment of Curator,
Edna M. Irwin and James Howard Irwin }
Minors }

On this day appeared Joseph C. Irwin and Robert E. Irwin, and it appearing to the judge of Probate that they are minors under 21 years but over 14 years of age, and that they have no guardian of their persons or estate — said judge directs them to choose a guardian and curator, whereupon they select their uncle J. H. Gillespie which choice is by the judge of Probate approved, and the said J. H. Gillespie is appointed guardian of the persons and curator of the estate of said Joseph C. Irwin and Robert E. Irwin. And it further appearing that Edna M. Irwin and James Howard Irwin are minors under fourteen years of age who have no guardian and curator it is ordered that said J. H. Gillespie be and he is appointed guardian of the persons and curator of the estate of said Edna M. Irwin and James Howard Irwin, and before entering upon the duties of his said guardianship said J. H. Gillespie is required to enter into bond to the State of Missouri for the use and

benefit of said Joseph C. Drwin, Robert E. Drwin, Edna M. Drwin
 and James Howard Drwin in the sum of \$6000⁰⁰, with two or more securities to be approved by the Court, and con-
 Conditioned for the faithful discharge of his duties according to law.

And now comes said J. H. Gillespie and files herein said bond in the sum of \$6000⁰⁰ with E. L. Walton, John Marshman and R. A. Wilson as securities, ^{thereon,} and conditioned as the law directs, which bond is by the Judge of Probate accepted and approved

P. P. Doak,

Judge of Probate.

In the Probate Court—In Vacation June 18-1908.

In the matter of Estate of Appointment of Guardian & Curator
 Harley E. Munn, a minor.

Comes now Ora L. Watkins and files herein his petition requesting appointment as guardian and Curator of Harley E. Munn, and says: That said minor is the child of Reuben Munn who resides in the State of Kansas and of Fannie Munn, deceased, and that he is the adopted child of petitioner; that he has an inheritance not exceeding in value the sum of \$100.⁰⁰—which comes through ^{said} the deceased, Fannie Munn, And it appearing that said Ora L. Watkins is a suitable person for such Curator and that by reason of his deed of adoption is entitled to custody of said minor—it is therefore ordered by the Judge of Probate that the said Ora L. Watkins be appointed Guardian and Curator of the said Harley E. Munn, the aforesaid minor, aged 1 year and 10 months, and that he enter into bond to the State of Missouri for the use and benefit of said Harley E. Munn in the sum of \$200⁰⁰ with two or more securities, to be approved by the Court, and conditioned for the faithful discharge of his duties as such Guardian and Curator according to law.

P. P. Doak,

Judge of Probate.

May Adjourned Term — June 19-1908,

Court met pursuant to Adjournment — present P. P. Douk, judge and W. T. Hutchison, Sheriff; when the following proceedings were had, to wit: —

Estate of Martha H. Compton, deceased (Demand allowed and classed)
Elisha L. Frost, administrator

Comes now J. D. Dough, and presents to the Court for allowance against said estate, a Demand for \$60.00 on acct of undertakers job. Service being waived in writing and affidavit and proof made — it is Ordered that same be allowed against said estate in the sum of \$60.00 in Class one

Estate of Martha H. Compton, deceased (Demand allowed and classified,
Elisha L. Frost, Admr,

Comes now J. M. Reed and presents to the Court for allowance against said estate a Demand for \$175.00 founded on account — And service of notice being waived in writing, and affidavit and proof made, it is ordered that same be allowed against said estate in above sum and assigned to Class five —

Ordered that the First Annual Settlement of Joshua W. Alexander, Executor of the Last Will of Thomas A. Gaines, deceased, this day filed be approved and recorded.

Ordered that the Fifth Annual Settlement of Barbara Roberts Curator of Lucille and Elvaree Roberts, this day filed be approved and recorded.

Estate of J. A. L. McNeeley, deceased, (Demand allowed and classified.
John W. Meade, Admr,

Comes now R. G. Yates, a member of the firm of Yates, Nixon and Co, Proprietors of Gallatin Marble Works and presents to the Court for allowance against said estate a Demand for \$135.00 account for a Double Inscription Monument at Graves of deceased and wife — the said account being a contract signed by the heirs of deceased — Service waived in writing, and affidavit and proof made — it is ordered that same be allowed as fifth Class Demand against said estate in said sum of \$135.00

May Adjourned Term - Friday - June 19th, 1908.

Estate of Thomas A. Gaines, deceased, { Demand allowed and classified,
J. W. Alexander, Executor }

Comes now R. G. Yates of the firm of Yates, Nixon & Co. proprietors of the Gallatin Marble Works and presents to the Court for allowance against said estate a demand for \$140²³ on account of One half of the contract price of monument at Grave of deceased, the other half having been paid by Edgar A. Scott and Huff - And the Executor waiving service of notice in open Court and affidavit and proof made it is ordered that same be allowed against said estate as a fifth Class demand.

Estate of John D. James, deceased, { Demand allowed and classed.
George U. Norton, Admr. }

Comes now S. D. Dowell, by Atty, W. C. Gillis and presents to the Court for allowance against said estate a demand for \$89.85 the same being a judgment on note given by Chas Robertson and John D. James for \$100⁰⁰ and costs ^{in sum of \$32} with interest at 8% - service waived in writing ^{being} and properly certified from the records of Justice's Court ^{the} it is ordered that same be classed as a fourth class demand against said estate in above said sum and 8% interest.

Estate of James A. Whetstone deceased { Demand allowed & classed
Chas. A. Whetstone, Admr. }

Comes now J. T. Dough, undertaker and presents to the Court for allowance against said estate a demand for \$75⁰⁰ on account of funeral expense - Service of notice being waived in writing and affidavit and proof being made it is ordered that same be allowed against said estate in the above sum, and placed in Class one.

Ordered that the Bond of J. H. Gillespie as guardian and Curator of Joseph C. Drwin, Robert E. Drwin, Edna M. Drwin and James H. Drwin, minor heirs of Howard Drwin, deceased taken in vacation of this Court on June 15, 1908 be approved and his appointment ratified and confirmed.

May Adjourned Term - Friday - June 19th, 1908.

In the matter of the estate of } Order of Publication.
Ephraim Kuhns, deceased)

Now at this day come Lawson W. Pennington and Daniel Triem, Executors of the last will of Ephraim Kuhns deceased and present to the Court their petition praying for the sale of so much of the real estate of said deceased as will pay and satisfy the remaining ^{and legacies} debts due by said estate, and yet unpaid for want of sufficient assets, accompanied by the accounts, lists and inventories, required by law in such cases, on examination whereof it is ordered that all persons interested in the estate of said deceased be notified that application as aforesaid has been made, and that unless the contrary be shown on or before the first day of the next term of this Court, to be held on the 2nd Monday of August, 1908, an order will be made for the sale of the whole or so much of the real estate of said deceased as will be sufficient for the payment of said debts and legacies, and it is further ordered ^{that} this notice be published in the Winston Sentinel, a newspaper published in this County and State, for four weeks before the next term of this Court, and that personal service of this notice be made on the heirs and devisees of deceased, resident in said County, at least ten days before the next term of this Court.

In the matter of the estate of } Demand allowed and classified.
Thomas A. Gaines, deceased)

Now comes J. T. Gough, and presents to the Court for allowance against said estate, a demand for \$13.50, on acct for Hearse at funeral of deceased. Service of notice being waived and affidavit and proof made, it is ordered by the Court that said acct be allowed against said estate in the above sum and that it be assigned to Class one.

In the matter of the estate of } Allowance of Demand
Jackson Shuler deceased)

Comes now the Gilman Bank, Gilman City, Mo., by J. B. Markey, president, and presents to the Court for allowance against said estate, a demand for \$1374.22, the same being an overdraft of \$1387.25 and interest on same from Apr. 4, 1908 to this date - 2 1/2 months @ 6% = \$16.97 - And service of notice being waived in writing, and affidavit and proof made it is ordered that said account be allowed in said sum of \$1374.22 against

May Adjourned Term Friday June 19. 1908

Said estate, and that it be assigned to the fifth class of demands.

In the matter of the estate of Lewis A. Ellis, deceased. Report of Private Sale of Personalty approved.

Robert E. Maupin, Administrator of Lewis A. Ellis, deceased, Comes and reports to this Court: That in obedience to an order of this Court made on January 10 A.D. 1908, directing him to sell the personal estate in said order as follows to wit: The Corn and Wheat belonging to said Lewis A. Ellis deceased.

303 bu & 8 lbs wheat at 90¢ per bu	\$ 272.70
2055 " & 40 " Corn " 50¢ " "	\$ 1027.50

did expose at private sale, upon the terms mentioned in said order, the personal estate above described, first having had the same appraised by John A. Macrauder and Davis E. Waters and Rolla Bray three disinterested house holders of said County. They having been first duly sworn, as appears by the affidavit of said appraisers and their certificate of Appraisement here before filed.

And C. F. Royston was the highest and best bidder for said Personal Estate, at the price and sum of Thirteen Hundred & 55/100 Dollars, and the same was sold to him at private sale accordingly, And the said C. F. Royston has fully complied with the terms of said sale and has paid me the sum of Thirteen Hundred & 55/100 Dollars in cash as required by said order of sale.

Robert E. Maupin, Administrator
for Lewis A. Ellis, Estate.

State of Missouri)
County of Daviess)

Robert E. Maupin being sworn says that that he did not directly or indirectly purchase such personal property or any part thereof, or any interest therein, and that he is not interested in the property sold, except as stated in said report -

Robert E. Maupin, adminr,
for Lewis A. Ellis deceased

Subscribed and sworn to before me, this 16th
day of June 1908

Deal

P. P. Doak,
Judge of Probate

May Adjourned Term June 19-1908.

Ordered that the foregoing report of sale be approved, and that said sale be ratified and confirmed.

In the matter of the Estate of } Allowance of year's support,
Mary F. Whitt, deceased. } Order Charging Admr. with other property.

Comes now Wm. E. Whitt, widower, of said Mary F. Whitt, deceased and the petition heretofore filed, asking for an allowance for a year's support was taken up, and it appearing to the Court that said widower, has no child or other person, that is a member of his family or dependent upon him for support- It is ordered that said Wm. E. Whitt, widower as aforesaid be allowed the sum of \$100.00 out of the assets of said estate for said purpose, including the articles already taken at appraised value, and that the Administrator pay over to the said widower said sum of \$100.00 less the amount already received and receipted for by him.

And it is further ordered that all the articles belonging to the estate of said Mary F. Whitt, deceased, at the time of her death. (Except Household goods and Kitchen furniture) be charged against said Wm. E. Whitt, Administrator of said estate.

Ordered that the final settlement of James M. Offield, Exr. of Joseph Offield, deceased, heretofore filed, and continued from term to term, be again continued, with approval, to Aug. Term 1908.

In the matter of the Estate of } Renewal of Order of Sale,
Amanda M. Lord, deceased }

Comes now Samuel A. Lord, Admr. of said estate and reports that he has not been able to sell the real estate of said deceased pursuant to the order of this Court made at the May Term, ¹⁹⁰⁷ thereof, and renewed from term to term, and asks that said order of sale be again renewed.

And it is therefore ordered that said order of sale be again in all things renewed, and that said Admr. report his proceedings therein, to this Court at the August term, therez,

Ordered that Court adjourn till Court in Course

P. P. Goats,
Judge

In the Probate Court In Vacation June 20, 1908,

In the matter of the estate of } Will Probated & Letters granted,
Ruth Ward, deceased. }

Now on this day an instrument of writing purporting to be the last will and testament of Ruth Ward, deceased, who departed this life on the 10th day of June, 1908, is offered for probate, and the Judge of Probate having seen and examined said instrument of writing, and having also heard the testimony of Lawrence E. Carter and Rollin J. Britton, two of the subscribing witnesses thereto, in relation to the execution of the same, does declare and adjudge said instrument of writing to be the last will and testament of Ruth Ward, deceased, late of Daviess County, and orders the same admitted to probate and to be recorded as such.

And comes now Andrew Miller, who is named in said will as Executor thereof, and makes affidavit as required by law, and makes application for letters testamentary upon said estate, and being a suitable person for such trust: it is ordered that he be, and is hereby appointed Executor of said Estate, and that letters testamentary issue to him thereon, and that he enter into bond unto the State of Missouri, as such Executor in the sum of \$1200.00 with two or more good and sufficient securities conditioned according to law.

And now comes said Andrew Miller and files said bond, in the sum of \$1200.00, with J. W. Ward, Lawrence E. Carter and Rollin J. Britton as securities thereon, and conditioned as the law directs - which bond is by said Judge approved.

And it is further ordered that Lawrence E. Carter and Rollin J. Britton be and are hereby appointed witnesses to assist said Executor to make an inventory of said estate, and that said Executor publish notice of the grant of said letters as the law directs.

P. P. Douk,

Judge of Probate.

In Vacation — June 24- 1908.

In the matter of the Estate of } Administration granted — Bond filed
Edward C. McElung, deceased,

Comes now Robert V. Thompson, and makes application for letters of administration upon the estate of Edward C. McElung, deceased, who departed this life intestate on June 10, 1908, having at the time of his death personal property of the probable value of \$6000.00. And Elizabeth C. McElung and Henry F. McElung, widow and son of said deceased having relinquished their right to administer said estate and the Judge of Probate having confidence in said Robert V. Thompson as being a suitable and competent person to fill said trust it is therefore ordered that he be and is hereby appointed administrator of said Edward C. McElung, and that as such administrator he enter into bond to the state of Missouri in the sum of \$12000.00.

And now comes said said Robert V. Thompson and files said bond in the sum of \$12000.00 with Samuel Leonard and Jno. R. Handy as securities thereon, which bond is by said Judge of Probate approved, And said Administrator is ordered to enter upon the duties of said office. And it is further ordered that G. F. Price and F. S. Clagett be and are hereby appointed witnesses to accompany and aid said Administrator to make an inventory of said estate, and that notice of the grant of said letters be published as by law required.

O. P. Doak,

Judge of Probate.

In the Probate Court — In Vacation — June 27- 1908

In the matter of the Estate of } Affidavit for New Bond.
Jackson Shuler, deceased,

Comes now Zachariah Shuler and makes affidavit, and says that he is on the bond R. G. Griffith, Executor of the last will of Jackson Shuler, deceased, and that since the execution of said bond, David Shuler, a Co-Security, thereon has died, and prays the Judge of Probate to inquire into his complaint, and if the same be found to be just, that an other bond and sufficient security be required, and it appearing that said petitioner has duly served said R. G. Griffith with notice of intention to file said affidavit and complaint, it is therefore ordered that he be served with notice to appear and

answers give to the allegations in said affidavit and notice.

P. P. Doak

Judge of Probate.

In Vacation — July 3, 1908 —

In the matter of the Estate of { Jackson Shuler, deceased } New Bond Ordered.

Now comes R. G. Griffith, Executor of the last will of said Jackson Shuler, deceased, and says that it is true, as alleged in the affidavit hereto-filed herein, that David Shuler, one of the securities on his Executor's bond in said estate is dead —

Whereupon it is ordered that he execute a new-bond as such Executor in the sum of \$15000. with sufficient security thereon.

P. P. Doak,

Judge of Probate.

In Vacation — July 5th 1908.

In the matter of the Estate of { Jackson Shuler, deceased } Bond filed.

Comes now, R. G. Griffith Executor of the Estate of Jackson Shuler, deceased, and files herein his bond as such Executor in the sum of \$15000.00, with Jno. R. Handy and R. V. Thompson, as securities thereon and said bond is by the Judge of Probate approved.

P. P. Doak,

Judge of Probate.

In Vacation — July 6 — 1908

In the matter of the estate of (Will Probated
David N. Perry, deceased)

Now on this day an instrument of writing purporting to be the last will and testament of David N. Perry, deceased who departed this life on the 26th day of June, 1908 is offered for probate, and the judge of Probate having seen and examined said instrument of writing, and having also heard the testimony of N. C. Gillihan one of the subscribing witnesses thereto in relation to the execution of the same - and having also heard the testimony of said N. C. Gillihan and of James A. Troxel in proof of the signature of James Robb, an other subscribing witness to said instrument but who has died since signing the same, does declare and adjudge said instrument of writing to be the last will and testament of David N. Perry, late of Davies County, deceased and orders the same admitted to probate and to be recorded as such.

P. P. Doak,

Judge of Probate,

In Vacation — July 13th — 1908

In the matter of the estate of (Letters Testamentary Ordered,
David N. Perry, deceased)

Comes now Wm. S. Perry and makes application for Letters Testamentary on the estate of David N. Perry, deceased, and it appearing that he, the said Wm. S. Perry is named in the last will of said David N. Perry as one of the executors thereof, and that James A. Troxel the other person named therein as executor of said will is not now a resident of this State, and the judge of Probate approving the appointment of said Wm. S. Perry as a suitable person to execute said will, and he having made affidavit as required by law - it is ordered that letters Testamentary be issued to the said Wm. S. Perry upon said estate provided he execute a bond as such executor in the sum of \$4000⁰⁰ with two or more securities thereon to be approved by the Court

P. P. Doak,

Judge of Probate,

In Vacation - July 13th, 1908.

In the matter of the Estate of } Bond filed.
Harley E. Munn, Minor. }

Comes now Ora L. Watkins and files herein his bond as Guardian and Curator of Harley E. Munn, a minor heir of Fannie Munn, deceased, in the sum of \$200.00 with Geo. N. Gromer and Wm. W. Shultz as securities thereon, which bond is accepted and approved,

P. P. Doak,
Judge of Probate,

In Vacation - July 16th, 1908.

In the matter of the Estate of } Administration granted
David A. Miller, deceased }

Comes now Minnie E. Miller, and makes affidavit as by law required, and makes application for letters of administration upon the estate of David A. Miller, deceased, late of Daviess County, and says that the names of the widow and heirs of said David A. Miller and their places of residence are respectively as follows: -

Minnie E. Miller, widow, who resides in Daviess County, Missouri;
Anna K. Miller, daughter, " " " " " " "
B. Rowland Miller, son, " " " " " " "
Paul A. Miller, " " " " " " "
and M. Mildred Miller, daughter " " " " " " "

that the said David A. Miller died without a will on the 24th day of June, 1908, and that she will a perfect inventory of, and faithfully administer all the estate of the deceased, and pay the debts as far as the assets will extend and the law direct, and account for and pay all assets which shall come to her possession or knowledge,

And it appearing to the judge of Probate that said David A. Miller had at the time of ^{his} death personal property in excess of the widow's allowances of the probable value of \$1800.00, and the said Minnie E. Miller being the widow of said deceased and entitled under the law to administer said estate - it is ordered that letters be granted and issue to said Minnie E. Miller upon said estate provided that she enter into bond to the State of Missouri as such

Administratrix, with two or more securities to be approved by the Court, in the sum of \$3600⁰⁰ Thirty-six Hundred Dollars, and conditioned according to law,

P. P. Doak

Judge of Probate

In Vacation — July 17-1908

In the matter of the Estate of } Bond filed -
David N. Terry, deceased }

Comes now Wm. S. Terry, Executor of the last will of David N. Terry, deceased and files herein his bond as such Executor in the sum of \$4000⁰⁰, J. B. Terry, Nathan Terry, Solomon Landes and Marion Skinner as securities thereon, and conditioned as the law directs, which said bond is by the Judge of Probate accepted and approved, and it is ordered that Dr. J. F. Hedrick and P. A. Job be and are hereby appointed to assist said Executor make an inventory of said estate and that the said Executor publish in some Newspaper published in this County, a notice of the grant of letters upon said estate.

P. P. Doak,

Judge of Probate.

In Vacation — July 17-1908-

In the matter of the Estate of } Bond filed -
David A. Miller, deceased }

Comes now Minnie E. Miller, and files herein her bond in the sum of \$3000⁰⁰ Three Thousand, Six Hundred Dollars as Administratrix of the estate of David A. Miller, deceased, said bond being signed by Anna K. Miller, B. Rowland Miller and William Roney as securities thereon, and conditioned as the law directs is by the Judge of Probate approved, and it is ordered that Wm. Roney and E. B. Will be and are appointed witnesses to aid said Administratrix to make an inventory of said estate, and it is further ordered that said

Administratrix publish a notice of grant of Letters of Administration upon said estate, in some Newspaper published in this County, as is by statute required.

P. P. Doak,

Judge of Probate.

In Vacation - August 1-1908

In the matter of the Estate of } Administration granted,
Everett Hannah, deceased }

Comes now R. F. Hannah, and makes application for letters of administration upon the estate of Everett Hannah, deceased, and having made according to the law stating that said Everett Hannah died without a will on the 17th day of July 1908, leaving as his heirs R. F. Hannah, his father, resident of Daviess County, Mo.; Mariah Hannah, his mother, " " " " " " ; Maud Terley, a sister, " " " " " " and Pearl Hannah, " " " " " " ; that he will make a perfect inventory of and faithfully administer all the Estate of the deceased, and pay the debts as far as the assets will extend and the law direct, and account for and pay all assets which shall come to his ^{possession or} knowledge. ~~he~~ And being the father of said Everett Hannah, and entitled under the law to letters upon said estate; it is therefore ordered that Robert F. Hannah be and is hereby appointed Administrator of said Everett Hannah, deceased, and that letters issue to said Robert F. Hannah on the estate of said deceased provided said Robert F. Hannah, enter into bond as such Administrator with two or more securities approved by the Court, in the sum of \$2000.00.

And Comes now said Robert F. Hannah, and files said required bond in the sum of \$2000.00, with J. O. Brown and Henry Long as securities thereon, and condition as the law directs, which bond is by the Judge of Probate accepted and approved. And it is ordered that J. O. Brown and

be appointed witnesses to make inventory and that notice of the grant of letters be published according to law.

P. P. Doak,

Judge of Probate.

In Vacation — August 1-1908.

In the matter of the Estate of { Administration granted,
Catharine Davis, deceased }

Comes now J. A. Selby and makes application for letters of administration on the estate of Catharine Davis, deceased, late of Daviess County, and makes affidavit stating that said Catharine Davis died without a will on the 24th day of March, 1908, leaving as her heirs Gilbert E. Davis, who resides in Daviess County, Missouri; Olive Kochan, who resides in DeKalb County, Mo.; and Mabel Henry who resides in DeKalb County, Mo., and that he will make a perfect inventory of and faithfully administer all the estate of the deceased, and pay the debts as far as the assets will extend and the law direct, and account for and pay all assets which shall come to his possession or knowledge. And Gilbert E. Davis the son of said deceased having relinquished his right his right to administer said estate and requested the appointment of said J. A. Selby, who being a suitable person to fill such trust, it is therefore ordered that said J. A. Selby be and is hereby appointed administrator of the estate of said ^{Catharine Davis,} deceased, and that that letters of Administration on said estate be granted to said J. A. Selby, and that he enter into bond to the State of Missouri as such Administrator in the sum of \$500.00 with the statutory requirements of such bonds.

And now comes said J. A. Selby and files said bond in the sum of \$500.00 with Gilbert E. Daviess and Job L. McVeigh as securities thereon, and condition^{ed} according to law, which bond is by the Judge of Probate approved, and it is ordered that said J. A. Selby publish Notice of the grant of said letters as the law directs.

R. P. Doak,

Judge of Probate.

August Term — Monday — August 10-1908.

State of Missouri } ss.
County of Daviess }

Be it remembered that at a regular Term of the Probate Court of Daviess County, Missouri, begun and held at Gallatin in said County, on Monday, August 10-1908, there being present P. P. Doak, Judge, and H. F. Whitte Deputy Sheriff, when the following proceedings were had to-wit:-

In the matter of the Estate of }
Ruth Ward, deceased } Judgment Establishing Will.

It being shown to the Court now here, that in Vacation of this Court, to-wit: on the 20th day of June, 1908, an instrument of writing purporting to be the last will and testament of Ruth Ward deceased, and attested by Lawrence E. Carter, Mrs. G. Buckley and Rollin J. Britton as witnesses, was produced before the Clerk of this Court to be proved and admitted to record as the last will of said Ruth Ward, deceased, and said Clerk proceeded to take the testimony of Lawrence E. Carter and Rollin J. Britton two of said attesting witnesses, which was by said Clerk reduced to writing, and signed by them respectively, and is now here produced in Court. And said Clerk having declared said will proved, granted a Certificate of Probate on said 20th day of June, 1908.

And the Court having inspected said will, and seen and heard the testimony of Lawrence E. Carter and Rollin J. Britton two of the attesting witnesses, so taken in vacation, as to the execution of said will, and being sufficiently advised: - It is ordered and adjudged by the Court that said instrument be considered proved, and the same is adjudged to be the last will of said Ruth Ward, deceased.

And the said proceedings and action of the Clerk in the premises, are in all things ratified and confirmed, and it is ordered that said will be admitted to record.

In the matter of the Estate of } Judgment Establishing Will.
David N. Perry, deceased. }

It being shown to the Court now here, that in vacation of this Court, to-wit: on the 6th day of July, 1908, an instrument of writing purporting to be the last will and

August Term — Monday — August 10 — 1908.

Testament of David N. Perry, deceased, and attested by W. C. Gillihan, H. H. Tinsley and James Robb as witnesses, was produced before the Clerk of this court to be proved and admitted to record as the last will of said David N. Perry, deceased, and said Clerk proceeded to take the testimony of W. C. Gillihan one of said attesting witnesses, which was by said Clerk reduced to writing, and signed by him, the said W. C. Gillihan; And said Clerk further proceeded to take the testimony of said W. C. Gillihan and of James A. Troxel in relation to the signature of James Robb, one of said attesting witnesses, who has died since the execution of said will, and their said testimony was by said Clerk, also reduced to writing, all of which testimony is now here produced in court, and said Clerk having declared said will proved, granted a certificate of Probate on said 6th of July, 1908.

And the Court having inspected said will, and seen and heard the testimony of W. C. Gillihan one of the attesting witnesses so taken in vacation as to the execution of said will, also the testimony of ^{said} W. C. Gillihan and James A. Troxel as to the signature of James Robb, deceased, one of said attesting witnesses, and being sufficiently advised; It is ordered and adjudged by the Court that said instrument be considered proved, and the same is adjudged to be the last will of said David N. Perry, deceased, And the said proceedings and action of the Clerk in the premises, are in all things ratified and confirmed, and it is ordered that said will be admitted to record.

Ordered by the Court that the Bond of Andrew Miller, as Executor of the Last Will and Testament of Ruth Ward, deceased, taken in Vacation on June 20, 1908, be approved, and that his appointment to said Executorship, be ratified and confirmed.

Ordered that the Bond of Robert V. Thompson, ^{taken in vacation June 24, 1908,} as Administrator of Edward O. McClung, deceased, be and the same is hereby approved, and ^{that} his appointment as such Administrator be ratified and confirmed.

Ordered that the New Bond of R. G. Griffith as Executor of the last Will of Jackson Shuler, deceased, taken in Vacation, on July 6, 1908, be and the same is hereby approved.

August Term Monday August 10- 1908

Ordered by the Court that the Bond of Ora Watkins, ^{as} Guardian and Curator of the person and estate of Harley E. Munn, a minor, taken in Vacation on July 13- 1908, be and the same is hereby approved and his appointment to said office ratified and confirmed.

Ordered that the Bond of William S. Terry, as Executor of the last will of David N. Terry, deceased, taken in Vacation, July 17, 1908, be and the same is hereby approved, and his appointment to said office ratified and confirmed.

Ordered that the Bond of Minnie E. Miller, as Administratrix of the estate of David A. Miller, deceased, taken in vacation on July 17, 1908, be and the same is hereby approved, and that her appointment to said office be ratified and confirmed.

Ordered that the Bond of Robert F. Hannah, as Administrator of Everett Hannah, deceased, taken in vacation, on August 1- 1908, be and the same is hereby approved, and that said appointment be ratified and confirmed.

Ordered that the Bond of J. A. Selby, as Administrator of Catharine Davis, deceased, taken in vacation August 1- 1908, be and the same is hereby approved, and that his appointment as such Administrator be ratified and confirmed.

In the matter of the estate of } Allowance in lieu of Provisions.
Robert Rader, deceased

Comes now Frances V. Rader, widow of Robert Rader, deceased, and says that at the time of making the inventory of the estate of said deceased there was not reserved grains, meat, groceries and other provisions necessary for the subsistence of herself and family for one year, and further states that her family consists of herself and Clarence, a son of the age of sixteen, and prays the Court to make an order of record appropriating an amount sufficient for said purpose. And the Court having heard petition and evidence relative thereto and it appearing that there was meat enough

August Term — Monday — August 10 — 1908

provided for one year, it is ordered ^{and adjudged} that the sum of \$250⁰⁰ be allowed, and that that sum be paid out of the assets of said estate for said purpose — deducting \$45⁰⁰ for the meat already on hand.

In the matter of the Estate of } Final receipts filed — Executor discharged,
James Naugh, deceased

Comes now James M. Royston, Executor of the last will of James Naugh, deceased, and files the final receipts of Charlotte ^{A.} Wager and James M. Sharrah, devisees of said deceased, for the sums of \$162.39, and \$162.38 respectively. The same being the amounts due them from said executor as shown by the final settlement of said estate made at the May Term of this Court, including the sum of \$25⁰⁰ due each of said devisees as ^{their shares of the} rent of the real estate of said deceased for the year 1907. And it appearing that said estate is fully administered, and that proof of final settlement notice has been filed herein it is ordered that said Executor be discharged.

Ordered that the first annual settlement of John T. Gough Curator of Edward and Helen Barlow, this day filed be approved and recorded

In the matter of the estate of } Final Settlement, and order of distribution
William E. Bennett, deceased

Now comes Walter O. Hart, Admin. of William E. Bennett, deceased, and files proof of final settlement notice and proceeds to make final settlement of his administration of said estate, and it appearing that said Administrator has in his hands remaining assets for distribution in the sum of \$1376.⁴¹, and it is ordered by the Court that the same be distributed as follows, to wit: —

To William Bennett	\$196. ⁶³	To Dan Baker	\$98.31
" Florence Weldon	196.63	" Tony Baker	98.31
" Alice Wooley	196.63	" Ward Bennett	39.32
" Ira Trooper	98.31	" Frankie Lewis	39.32
" Aldon McCray	98.31	" Edith Patrick	39.33
" William Goins	98.31	" Lizzie Miller	39.33
" Ed Goins	98.31	" Dollie Bennett	39.33

And it is ordered that said Walter O. Hart pay the above distributees their distributive shares respectively, and that he file herein their receipts for the same. And it is ordered that said final settlement be approved and recorded.

August Term — Monday — August 10 - 1908

Ordered that the Second Annual Settlement of James W. Wilson, Curator of Olive Lucile Brown, a minor, this day filed be approved and recorded.

In the matter of the estate of { Final receipt filed Partial discharge
Eliza C. Brinnon deceased }

Comes now W. C. Macy and files the receipt of Frank Richardson, one of the heirs of said deceased, for \$42.⁰⁰ the same being his distributive share of said estate on final settlement and distribution heretofore made in this court. and it is ordered that said W. C. Macy, Administrator of said Eliza C. Brinnon be and he is hereby discharged as to said Frank Richardson.

Ordered that Court adjourn till 8 O'clock to morrow morning.

P. P. Doak,
Judge.

August Term — Tuesday — August 11-1908

Court met pursuant to adjournment; present P. P. Doak, Judge, and W. S. Hutchison, Sheriff; when the following proceedings were had, to wit:—

Estate of { Final Settlement and order to pay over.
Lenore Coffey, deceased

Comes now Charles Bergin, Administrator with will annexed of Lenore Coffey, deceased, and files proof of Final Settlement Notice which is by order of the court approved, and makes final settlement of his administration of said estate which shows a balance in his hands of \$708.⁵⁴, and it is ordered that said balance be distributed according to the provisions of the last will of said deceased, as follows:—

To T. F. Coffey, Trustee of Minora C. Coffey, the sum of \$300.⁰⁰— Special Legacy, the same to be paid to said Trustee upon proper evidence of his qualification as such Trustee.

To T. F. Coffey, the remainder in the sum of \$408.⁵⁴— less compensation of Administrator, ^{not to exceed the sum of fifty dollars.} and it is further ordered that said Administrator file herein ^{properly executed} receipts for the ^{same} when he shall be entitled to his discharge.

Ordered that said final settlement be approved and recorded

In the matter of the Estate of { Final Settlement, Distribution and Discharge
Clarence D Easter, deceased

Comes now Olive Easter, Administratrix of Clarence D Easter, deceased, and files proof of Publication of Final Notice and proceeds to make her final settlement of the Administration of said estate, which settlement shows a balance due said estate of the sum of \$17.³³, and it is ordered by the court that said final settlement be approved and recorded, and that said balance of \$17.³³ be distributed as follows:

To Olive Easter $\frac{1}{2}$ = \$8.⁶⁶; to John Easter $\frac{1}{8}$ = \$2.¹⁷; to Sarah E. Easter $\frac{1}{8}$ = \$2.¹⁷; to Lillie M. Easter $\frac{1}{8}$ = \$2.¹⁷ and to Clara B. Young $\frac{1}{8}$ = \$2.¹⁶ and that said Olive Easter, Admrx. pay said distributive shares, and file the receipts for the same herein.

And now comes said Olive Easter and files said distributive receipts, and it appearing that said estate is fully administered it is ordered that said Administratrix be discharged.

In the matter of the estate of { Allowance and Classification of Demand
Jackson Shuler, deceased

Comes the Gallatin Marble Works, by R. G. Yates, manager,

August Term — Tuesday — August 11-1908

and submits to the Court for allowance against the Estate of Jackson Shuler, deceased, a demand for \$175.⁰⁰ founded on account for monument erected at the grave of deceased, service of notice being waived in writing, and affidavit made, and it appearing that said monument was provided for by the will of deceased and that the heirs of the said estate have mutually agreed upon the erection of same it is therefore ordered that said account in the sum of \$175.⁰⁰ be allowed against said estate, and assigned to Class One of demands

In the matter of the Estate of Jackson Shuler, deceased } Allowance and Classification of Demand

Comes now N. D. Haines, undertaker, and presents to the Court for allowance against said estate a demand for \$88.⁰⁰ on account of funeral of deceased, Service of Notice waived in writing, and affidavit and proof made it is ordered that same be allowed against said estate in the sum of \$80.⁰⁰ and that it be assigned to Class one.

In the matter of the Estate of Edward C. McClung, deceased } Allowance and Classification of Demand

Comes now Dr. G. N. Sutcliff and presents to the Court for allowance against said estate a demand for \$14.⁴⁰ founded on acct. for medical services rendered deceased in his lifetime, Service of notice being waived in writing, and affidavit and proof made it is ordered that same be allowed against said estate in the sum of \$14.⁴⁰ and assigned to Class Two.

In the matter of the estate of Edward C. McClung, deceased } Allowance and Classification of Demand

Comes now the firm of Marshall & Sutcliff and present to the Court for allowance against said estate a demand for \$8.⁰⁰ founded on acct. for carriages furnished for funeral of deceased, Service of notice being waived in writing and affidavit and proof made it is ordered that same be allowed against said estate and assigned to Class one.

In the matter of the Estate of James Homer Knight, Incompetent } Order for discharge from ^{Chgo.} Guardianship
and approval of final settlement
Comes now J. B. Knight and makes affidavit saying

August Term Tuesday August 11 - 1908

that "James Homer Knight, heretofore declared by this Court and a jury to be so addicted to the use of intoxicating liquor as to be incapable of managing his affairs, and who has been under guardianship since such investigation, has ceased the use of intoxicating liquors and is now fully capable of managing his affairs." and the Court being satisfied that said James Homer Knight ought to be discharged from said guardianship doth order and adjudge said James Homer Knight capable of managing his own affairs, and orders that he be and is hereby discharged from said guardianship, and that T.B. Knight the guardian of said Jas. Homer Knight immediately settle his account with said Jas. Homer Knight.

Whereupon said T.B. Knight guardian as aforesaid, files the final Settlement of said guardianship, from which it appears that the Balance due his said Ward is \$539.³² which balance is by the order of the Court paid to said Ward, and his receipt therefor filed herein, and it is ordered that said guardian be discharged from said guardianship.

In the matter of the Estate of { Final Settlement and Discharge.
Theodore England, deceased }

Now comes Eliza J. England, Executrix of Theodore England, deceased and files her final Settlement of said estate which shows a balance after the payment of all debts of \$65.³⁰ which sum according to the provisions of the will of said deceased is paid over to Malinda C. England, widow, and her receipt for the same filed herein. Settlement also charges Executrix with the sum of \$700.⁰⁰ balance of the proceeds of land devised by said deceased to Malinda C. England and Eliza J. England jointly, and said \$700.⁰⁰ is divided equally between said Malinda C. and Eliza J. and by them receipted for.

And it appearing that proof of Publication of Final Settlement notice is filed and approved and said estate fully administered it is ordered that said final Settlement be approved and recorded, and that said Executrix be discharged.

Ordered that the first Annual Settlement of James W. Dutro, Executor of S.S. Dutro, this day filed be approved and recorded

August Term Tuesday August 11-1908.

In the Matter of the Estate of { Order of Private Sale of real estate
Ward Railsback, a minor. }

On this day comes Jacob W. Railsback, guardian of the person and curator of the estate of Ward Railsback, a minor of the age of 15 years, and filed his petition for the sale of real estate of said minor therein described, and represents to the Court:—That said minor is the owner in fee simple of an undivided $2/220$ part of the following described real estate, situated in Daviess County, Missouri, to wit:—

The South half of the North East quarter and the South half of the North West quarter; the North east quarter of the South West quarter, and the West half of the North West quarter of the Southeast quarter of Section Twenty-nine (29), and the South half of the Northeast quarter of Section Thirty (30); all in Township Sixty-one (61) of Range Twenty-six (26).

That owing to the character and situation of said lands and the number of persons interested therein, it is impractical to divide said land in kind, and would be expensive and detrimental to the interest of said minor to have the same sold in partition by the Circuit Court.

That all the parties interested in said land, except the said minor, Ward Railsback, are of legal age to contract, and are ready to join in conveyances when satisfactory arrangements for a sale can be perfected;

That it would be greatly to the interest of said minor, and beneficial to his estate, if his undivided interest were sold, and the proceeds of such sale re-invested in a portion of said land,

And the court having heard said petition and the evidence in relation thereto, is satisfied that said order should be granted.

It is therefore ordered by the Court that said guardian be and is hereby authorized and empowered to sell the said real estate, at private sale (first having had the same appraised according to law) for not less than three fourth of the appraised value thereof, for cash in hand, and that said guardian report said sale and his proceedings therein to this Court at the next term thereof.

August Term — Tuesday — August 11-1908.

Estate of Orville Wells, et al.,

Minors,

R. V. Thompson Cur.

} Final Settlement and Discharge as to Jesse Wells.

Now comes Robert V. Thompson, Curator of Jesse L. Wells, and comes also said Jesse L. Wells, said ward, who has arrived at his majority, and said Robt. V. Thompson, Curator as aforesaid files his final settlement with said ward, which shows a balance ^{due} to the said Jesse L. Wells of \$95.97.

And the said Jesse L. Wells in open court, receipts his said guardian for said balance, and says that he is of full age and competent to sign said receipt and consents to the discharge of said curator, waiving service of notice of this settlement and the filing of an exhibit thereof, and acknowledges payment of all claims of money and property owing to him by said Curator,

whereupon it is ordered by the Court that said final settlement, so filed, be approved and recorded.

In the matter of the estate of } Administration granted.
Harry Nickeson, deceased

Now comes Henry S. Hook, and makes application for letters of Administration upon the estate of Harry Nickeson, deceased, and makes Affidavit saying: That, to the best of his knowledge and belief, the names of the heirs of said Harry Nickeson, deceased, and their places of residence, are respectively as follows: Albert Nickeson, who resides at Cherryvale, in the State of Kansas, Mrs. Mary Rickard, who resides at Pickering in the County of Nodaway, in the State of Missouri; Maude Nickeson, who resides in the County of Daviess in the State of Missouri; Lefa Nickeson, who resides in the County of Daviess in the State of Missouri, and Juanita Nickeson, who resides in the County of Daviess in the State of Missouri; that the said Harry Nickeson died without a will on the 18th day of July, 1908; that he will make a perfect inventory of and faithfully administer all the estate of the deceased, and pay the debts as far as the assets will extend and the law direct, and account for and pay all assets which shall come to his possession or knowledge.

And it appearing that none of the distributees of the estate of said deceased residing in this State are eligible to administer, and that said applicant is a suitable person for said trust, it is ordered by the Court that he, ^{the said Henry S. Hook,} be and is hereby appointed Administrator of the estate of said Harry Nickeson, deceased, provided he enter into bond to the State of Missouri as such

August Term — Tuesday — August 11-1908.

Administrator in the sum of \$2000⁰⁰, with two or more securities to be approved by the Court, and conditioned according to law.

Darneal, Sarah A. Continuance —

Ordered that Third Annual Settlement of W. D. McDonald, Admin. of the estate of Sarah A. Darneal, deceased, this day due, be continued to the November term 1908 of this Court.

In the

In the matter of the Estate of } Allowance and Classification of Demand
D. A. Miller, deceased.

Comes now the Kidder Bank, of Kidder, Missouri, and presents to the Court for allowance against said estate, a Demand for \$252⁸⁸ founded upon one promissory note for the sum of \$250⁰⁰ Date June 1, 1908 due in 90 days; interest 8% and signed by D. A. Miller; Service of Notice waived in writing and ^{affidavit} proof made it is ordered that same be allowed against said estate in the sum of \$252⁸⁸ and assigned to Class number five.

In the matter of the Estate of } Order renewing order of sale,
Amanda M. Lord, deceased }

Comes now Samuel A. Lord, Administrator of said estate and reports that he has not been able to sell the real estate of said deceased, pursuant to the order of this Court made at the May term, 1907, thereof, and renewed from term to term, and asks that said order of sale be again renewed;

And it is therefore ordered that said order of sale be again in all things renewed, and that said Administrator report his proceedings therein to this Court at the November term, 1908, thereof.

Ordered that Court adjourn till tomorrow morning at 9 o'clock

P. P. Doak,
Judge.

August Term — Wednesday — August 12-1908.

Court met pursuant to adjournment, there being present P. P. Doak, Judge and W. S. Hutchison, Sheriff: when the following proceedings were had, to wit:—

In the matter of the estate of } Appropriation for monument.
Martha H. Compton, deceased }

Comes now E. L. Frost, Administrator of the estate of Martha H. Compton, deceased, and presents to the Court a petition signed by all the heirs of said deceased, praying for an order appropriating out of the assets of said estate in the hands of the Administrator the sum of \$200.⁰⁰ for the purpose of erecting a monument at the graves of Newton F. Compton and Martha H. Compton. And show to the Court that said amount will not be needed to pay the debts of said estate. And the Court having heard said petition and the evidence in relation thereto, and being satisfied that said order will not prejudice the rights of creditors it is therefore ordered that said Administrator be authorized to pay the sum of Two Hundred Dollars for said purpose, and that he be allowed credit for the same in his settlement of said estate.

In the matter of the estate of } Order to Equalize Advancements.
Martha H. Compton, deceased }

And now comes E. L. Frost, Administrator of Martha H. Compton and files an agreement signed by Maud Compton, Mrs. Lula Howard and Mrs. Della Rhinehart: three of the heirs of said deceased, that an order be made by this Court authorizing said Administrator to pay sums to the other heirs thereof to make them equal with the said Maud, Lula and Della, who acknowledge in said agreement to certain advancements to them made in property by the said deceased in her life-time.

And the Court having examined said agreement and the statements therein contained and being satisfied that the request of said heirs should be granted - it is ordered that said Administrator be authorized to pay to the remaining heirs the sums specified in said agreement to equalize them with those who have received advancements.

In the matter of the estate of } Allowance and Classification of Demand
Martha H. Compton, deceased }

Comes now Dr. S. S. Garrett and presents to the Court for allowance against said estate a Demand for \$11⁰⁰ on acct. of medical services rendered deceased in her life time; service of notice being waived in writing

August Term — Wednesday — August 12. 1908.

and affidavit and proof made: it is ordered that the same be allowed against said estate, and assigned to Class five.

In the matter of the Estate of } Allowance and Classification of Demand,
James Robb, deceased.

Comes now Dr. C. G. McKinley and presents to the Court for allowance against said estate a Demand for \$17.⁰⁰ on account of Medical Attendance during last sickness of Deceased, Service of Notice waived in writing and affidavit and proof made, it is ordered that said account in the sum of \$17.⁰⁰ be allowed against said estate and assigned to Class ^{Two} (2)

Estate of James Robb } Allowance of Demand.
Deceased

Comes now J. C. McDonald and presents to the Court for allowance against said estate a Demand for \$20.⁵⁰ founded on account: Service of Notice waived in writing and affidavit and proof made it is ordered that same be allowed against said estate in said sum of \$20.⁵⁰ and assigned to the fifth Class of demands.

Estate of Jas. Robb } Allowance and Classification of Demand
Deceased.

Comes now Joseph Vogel and presents to the Court for allowance against said estate a Demand for \$110.²⁵ founded on a note-Principal \$100.⁰⁰ and accrued interest \$10.²⁵. And Service of notice being waived in writing and affidavit and proof made it is ordered that same be allowed against said estate in the sum of \$110.²⁵ and assigned to the fifth Class of demands.

In the matter of the estate of } Allowance of Demand
James Robb, deceased

Comes now John O'Brien, undertaker, and presents to the Court for allowance against said estate, a Demand for \$71.⁰⁰ on acct. of funeral of deceased, and service of notice being waived in writing and affidavit and proof made, it is ordered that same be allowed against said estate in the sum of \$71.⁰⁰ and assigned to the first Class of demands.

August Term — Wednesday — August 12 - 1908

In the matter of the estate of } Allowance and Classification of Demand
James Robb, deceased

Comes now J. H. Huddleston and presents to the Court for allowance against said estate a Demand for \$27.79 on account of balance for merchandise sold deceased - Service of notice being waived in writing and affidavit and proof made it is ordered that same be allowed against said estate in the sum of \$27.79 and assigned to the fifth class of demands.

In the matter of the estate of } Final Settlement and Discharge,
Wardle A. Bennett, minor.

Comes now E. M. Foley, Jr., Curator of Wardle A. Bennett, a minor, and submits his final of the estate of ^{his} said ward who has attained his majority, which said final settlement shows a balance due said Ward of \$86.77, and comes now the said Wardle A. Bennett and in open Court waives the filing of final settlement Exhibit, or service of notice of the filing such exhibit, and states that he is 21 years of age and acknowledges in writing the receipt in full of all money and property due to him from his said Curator - it is therefore ordered by the Court that said final settlement be approved and recorded, and that said E. M. Foley, Jr. be and is hereby discharged from said Curatorship.

In the matter of the estate of } Final Settlement and Discharge,
James Huston, a minor

Comes now E. M. Foley, Jr., Curator of the estate of James Huston, a minor, and makes his final settlement of the same with his said ward who has attained his legal majority, said settlement showing a balance due said ward of the sum of \$187.78.

And now comes said James Huston and ^{signs a} receipts in open Court for said sum of \$187.78 as payment in full of all money or other property of any kind due him from said Curator and says that he is 21 years of age and waives in writing the making, filing and service of notice, ^{of} filing any exhibit or any other notice of final settlement, and signs a full release of any and all claim upon said Curator by reason of said Curatorship.

And it is ordered by the Court that said final settlement be approved and recorded and that said Curator be discharged.

August Term — Wednesday — August 12 — 1908.

In the matter of the Estate of } Final Settlement and Discharge
John D. James, Insane.

Now comes E. M. Foley, jr., ^{Guardian of said insane person} and files

his final settlement with Geo. W. Norton, Public Administrator, having in charge the estate of said John D. James, now deceased, which said settlement shows said estate in debt to the said guardian and for other costs incurred in the management of the estate of said insane person in the sum of \$103.93, and it appearing to the court that said guardian has duly served notice of his intention to make his final settlement at this time, upon all the heirs and legal representatives of the said John D. James, deceased, and there being no exceptions taken to said final settlement or objections to its approval — it is therefore ordered by the court that said settlement as filed be adjudged to be correct and it approved and ordered to be recorded.

And it is ordered that said E. M. Foley, jr. guardian as aforesaid be discharged herein.

In the matter of the Estate of } Final Settlement,
Nelson Harwood, Deceased

Comes now Daniel Triem, Executor of the Last Will of Nelson Harwood, deceased and files his final settlement, from which it appears that said Executor owes the estate Nine hundred twenty-four & $\frac{80}{100}$ Dollars (\$924.80). By provisions of the Will \$300.00 is to be paid to Geo. W. Harwood and \$250.00 to Myra C. Hannam and the remainder to be equally divided among the eight children of said Nelson Harwood.

Wherefore distribution is ordered as follows:—

To Geo. W. Harwood (Legacy)	\$300.00
To Myra C. Hannam	\$250.00
To Joseph F. Harwood (Dis. Share)	46.85
To Myra C. Hannam	46.85
To Francis W. Harwood	46.85
To Albert W. Harwood	46.85
To Edgar H. Harwood	46.85
To John C. Harwood	46.85
To Cassius M. Harwood	46.85
To George W. Harwood	46.85

It is further ordered that Executor file receipts for above amounts, and that settlement be approved and recorded.

Ordered that court adjourn till 8 o'clock Aug. 13, 1908.
P. P. Loak, Judge of Probate.

August Term — Thursday — August 13, 1908.

Court met pursuant to adjournment; there being present P. P. Doak, Judge, H. S. Hutchison, Sheriff; when the following proceedings were had, to wit:

Ordered that the second annual Settlement of Mrs. Laura R. Melone, Curator of the estate of Harry R. Melone, a minor, this day filed be approved and recorded.

In the matter of the estate of { Allowance and Classification of Demand
James O. Whetstone, decd. }

Comes now J. E. Merrifield and presents to the Court for allowance against said estate a Demand for \$800.00 on acct. for monument at grave of deceased, and service of notice being waived in writing, and Affidavit and proof made, it is ordered that same be allowed against said estate in the sum of \$800.00, and that it be assigned to the first Class of demands.

Ordered that the Thirteenth Annual Settlement of George W. Ginder, Guardian of Edna Ginder, a minor this day filed, be approved and recorded.

Ordered that the Third Annual Settlement of George U. Norton Public Admr. and Ex Officio Public Guardian, having charge of the person and estate of George Nelson, an insane person, this day filed be approved and recorded.

Ordered that the first Annual Settlement of George U. Norton, Public Administrator, having charge of the estate of Walter Nevins, deceased, this day filed be approved and recorded.

In the matter of the Estate of { Final Settlement filed.
Harry A. Horn, a minor }

Comes now L. D. Dall Curator of the estate of Harry A. Horn, a minor, and files the final Settlement of his account with said ward, from which it appears that there is a balance due said ward of \$9611.31; and it being shown to the Court that said ward has attained his legal majority, and that said Curator has made and filed in this Court an exhibit for said final Settlement, and that he has duly served said ward with a copy of said exhibit ^{and notice of his intention to make this final settlement at this time} more than four weeks prior to the first day of the ^{present} term of this Court, it is therefore ordered that said final Settlement be approved & recorded.

August Term — Thursday — August 13th, 1908

and that said Curator pay over to his said ward the balance of said estate in his hands, and that he file herein a receipt for the same when he shall be entitled to a discharge.

In the matter of the estate of { Final Settlement & Discharge
John D. McBride, deceased }

Comes now Mrs. Anna Belle McBride, Administratrix of said deceased, and files her final settlement of said estate, and it appearing that said estate has been fully administered; that all the debts have been paid; that proof of Publication of Final Settlement notice is filed herein and duly approved and that nothing remains in the hands of said Administratrix for distribution, it is ordered that said final settlement be approved and recorded, and that said Administratrix be discharged.

In the matter of the estate of { Order of Continuance.
Thomas B. Jackson deceased }

Comes now Martha S. Jackson, ^{Administratrix of said deceased,} by her Attorneys, Dudley Selby, and files proof of Publication of Final Settlement Notice, which is with the final settlement this day due, is for cause ordered continued to the November term 1908, of this court.

In the matter of the estate of { Order of Sale.
Ephraim Kuhns, deceased }

Now at this day comes Daniel Triem and Lawson W. Pennington, Executors of the Last Will of Ephraim Kuhns, deceased, and proved to the court that the Order of publication made up on their petition at the May term thereof has been published according to law, and due service thereof had on the heirs and devisees residing in said county, and move for an order of sale pursuant to said petition and notice; Whereupon the court proceeds to hear the testimony produced; and to examine the parties who appear touching the application of said Executors for the sale of real estate as in said publication mentioned; and it being proved to the court that there are not sufficient personal estate and effects of said deceased charged

August Term — Thursday — August 13th, 1908.

with the payment of debts, and not sufficient assets in the hands of said executors to pay the debts due by said estate it is ordered that the said Daniel Triem and Lawson W. Pennington do, on the 5th day of October next, at the East door of the Court-house of the County of Daviess, and during the session of the County Court of said County, between the hours of 10 O'clock in the forenoon and 5 O'clock in ^{the} afternoon of that day, expose to sale, at public vendue or outcry, the following real estate in the petition of said executors, described, to wit:—

The North-East quarter of the North-East quarter of Section Ten, (10); Township Fifty-eight (58), of Range Twenty-nine (29) in Daviess County, Missouri, and sell the same for the purposes in said petition mentioned, on the following terms, to-wit: for cash in hand (and a deed for said property ^{so} sold to be executed on the payment of the purchase money): first having had the same appraised, and notice of the time, terms and place of said sale published for ^{four} weeks prior thereto in the Winston Sentinel, a newspaper published in this County, as directed by law, and that they make return of their proceedings at the next term of this Court

Ordered that the third Annual Settlement of H. M. Thompson, Curator of the estate of M. S. and Lurka Knight this day due be continued to the November ~~Settlement~~ Term of this Court for final settlement.

In the matter of the Estate of } Continued to November term 1908
Mary A. Hawkins deceased)

Comes now Thos. H. Hicklin, administrator of said estate and files proof of publication of Final Settlement notice, and said notice together with the final settlement this day due is for cause continued to the November term, 1908, of this Court.

Ordered that Court Adjourn till to-morrow morning at 8 O'clock.

P. P. Doak,
Judge.

August Term — Friday — August 14th, 1908.

Court met pursuant to adjournment: present O. P. Doak, Judge and W. T. Hutchison, Sheriff; where the following proceedings were had, to wit:

Ordered that the Seventh annual Settlement of Andrew Miller, Curator of the estate of Virgil C. Miller, a minor, this day filed, be approved and recorded.

In the matter of the estate of William H. Schapaugh, deceased } (Order to redeem incumber-
ed property,

Comes now Ethel Schapaugh, Administratrix of the estate of William H. Schapaugh, deceased and files her petition praying the court to make an order authorizing her to redeem the real estate in said petition described as follows to wit: The South East quarter of the North East quarter of Section Eighteen (18); Township Sixty (60) in Range Twenty-six (26) and says that the said William H. Schapaugh purchased said land from James Gay on the 19th day October 1905; that on the 5th day of January 1906 he executed a Trust deed, on said land, to Sarah M. Thompson to secure a loan of \$1200.00; that said William H. Schapaugh died August 28, 1907, without having paid said loan, and that the same remains unpaid to this day; that said debt is running on interest at the rate of 6% per annum; that she now has in her hands assets of the estate of said deceased the sum of \$1600.00 and will have other money from the proceeds of the sale of wheat now on hands; that she believes that it will be for the best interest of said estate to use said money in the payment of said incumbrance.

Where she prays the Court to make an order authorizing her to redeem said incumbered property out of the said assets in her hands.

And it appearing to the Court that said assets will not be needed in the payment of debts of said estate, it is therefore ordered that said Ethel Schapaugh, Administratrix as aforesaid, redeem said incumbered real estate out of the personal assets of said estate.

August Term — Friday, August 14th — 1908

Ordered that the Eighth Annual Settlement of James H. Prindle, Curator of the Estate of Preston G. Prindle, a minor this day filed be approved and recorded

In the matter of the estate of { Bond filed and approved, and letters issued.
Harry Nickeson, deceased }

Comes now Henry S. Hook, and files his Bond as Administrator of the estate of Harry Nickeson, deceased, with Nancy C. Hook, R. V. Thompson and S. B. Cropper as securities, in the sum of \$2000.00 and conditioned as the law directs, which bond is by the Court approved and in pursuance of the order by this Court made at this term on the 11th inst. letters of Administration upon said estate issue to the said Henry S. Hook, and it is further ordered that A. L. Shaffer and James Lindsey be appointed witness to make an inventory of said estate, and that said Administrator publish notice of the grant of said letters in some Newspaper published in this County according to law.

Ordered that the Fourth ^{annual} Settlement of Georgia Miller, Guardian and Curator of Corwin E. Miller, a minor, this day due be continued to the November term 1908.

Ordered that the final settlement of Jas. M. Offfield, Executor of Joseph Offfield, deceased, heretofore filed and continued from term to term be again continued with approval.

Ordered that Court adjourn till to-morrow morning at 8 O'clock

P. P. Doak,
Judge

August Term — Saturday — August 15th, 1908.

Court met pursuant to adjournment, present P.P. Doak, Judge and N.S. Hutchison, Sheriff, when the following proceedings were had, and entered of record, to wit:

In the matter of the estate of (Allowance and classification
Edward C. McClung, deceased) of Demand.

Now Comes John O'Brien, undertaker and presents to the Court for allowance against said estate a demand for \$126²⁵ on account for funeral of deceased, service of notice being waived in writing and affidavit and proof made, it is ordered that said account be allowed against said estate ^{in the sum of \$126²⁵} in the first class of demands.

In the matter of the estate of (Allowance & classification of demand
Martha H. Compton, deceased)

Comes now S.H. Frazier and presents to the Court for allowance against said estate a demand for \$51²⁵ founded on a note, and service of notice being waived in writing, and affidavit and proof made it is ordered that same be allowed in the sum of \$51²⁵ and assigned to class five

In the matter of the estate of (Allowance of Demand.
Robert Rader, deceased)

Comes now W.D. Ragan and presents to the Court for allowance against said estate a demand for \$4⁴⁶ founded on account and service of notice waived in writing and affidavit and proof made. it is ordered that same be allowed against said estate in said sum of \$4⁴⁶ and assigned to the fifth class.

Ordered that the Sixth Annual Settlement of John C. Leopard, Curator of Richard W. and Harriet W. Houghton, minors, this day filed, be approved and recorded.

Ordered that the Second Annual Settlement of Frank W. Zoss, Administrator of Conrad Smith, deceased, this day filed be approved and recorded.

Ordered that the First Annual Settlement of John W. Meade, Administrator of Mary C. Vaughn, deceased, this day filed be approved and recorded.

August Term — Saturday — August 15th 1908

In the matter of the estate of (First annual and Order of Suspension,
Iona Alice Smith, et al., minors)

Comes now Alice J. Smith Curator of Iona Alice Smith, et al minors, and files her first annual settlement of said estate, which shows that the whole of said estate has been exhausted in the care maintenance and education of said minors, and it is ordered by the Court that said settlement be approved and recorded, and that said Curatorship be suspended until such time as the Court may order him to resume the same

Ordered that the Thirteenth Annual Settlement of Louisa J. Witten Curator of Henry O. and John J. Witten, minors, this day filed be Approved and Recorded

Estate of Georgia L. Witten, (Final Settlement and Discharge,
a minor)

Comes now Louisa J. Witten, Curator of Georgia L. Witten, and files her final settlement with said ward, who is now of legal age, showing a balance due ward of \$561.80.

And now comes said Georgia L. Witten and enters her appearance to said settlement, and in open Court over her own signature acknowledges the receipt of said sum of \$561.80 from her said curator as full and complete satisfaction of all claims that she has against her, the said Louisa J. Witten on account of said Curatorship, and waives in writing the necessity of the making and filing of any Exhibit of final settlement or service of notice of the filing of such exhibit, and consents to the Court entering an order discharging said Curator from further responsibility on account of said Curatorship.

And the Court having examined said settlement and found the same correct it is ordered that the same be approved and recorded, and that said Louisa J. Witten, Curator as aforesaid, be discharged as to her Curatorship of said Georgia L. Witten.

In the matter of the estate of (Allowance and Classification of Demand
David N. Perry, deceased)

Come now Pettijohn Bros., Undertakers and present to the Court for allowance against said estate a demand for

August Term — Saturday — August 15th, 1908.

\$775.00 on account of funeral of deceased, and service of notice being waived in writing and affidavit and proof made, it is ordered that same be allowed against said estate in said sum of \$775.00 and assigned to the first class of demands,

In the matter of the estate of } Order for Private Sale.
David N. Perry, deceased }

Now Comes William S. Perry, Executor of said estate and files his written application for permission to sell one horse, one cow, a small lot of hay, wheat and coal belonging to said estate at private sale, and the court being satisfied that it will be for the best interest of said estate, and not prejudicial to persons interested therein, to sell the same at such sale, it is ordered that said administrator sell said property at private sale for not less than its appraised value on such terms as to him may seem for the best interest of said estate; and that he report the same to this court.

In the matter of the estate of } Administration Granted - Bond
William J. Culver, deceased } Approved

Comes now Henry C. Culver and makes application for letters of administration upon the estate of William J. Culver, deceased, and makes affidavit and says, that to the best of his knowledge and belief, the name of the sole heir of said William J. Culver, deceased and his place of residence, is as follows:

James Ernest Culver, who resides in the County of Daviess and State of Missouri; that the said William J. Culver died without a will on the 5th day of August, 1908; that he will make a perfect inventory of and faithfully administer all the estate of the deceased, and pay the debts as far as the assets will extend and the law direct, and account for and pay all the assets which shall come to his possession or knowledge.

And it appearing that Timothy Culver the father of deceased and M. A. Culver his older brother the only other distributees of said estate eligible to administer have renounced their right and claim to letters, and that said applicant is a suitable and competent person to administer said estate it is ordered that letters be

August Term - Saturday - August 15th 1908.

granted and issue to the said Henry C. Culver upon the estate of said William J. Culver, deceased, late of Daviess County and that before entering upon the duties of said office, that the said Henry C. Culver enter into bond to the State of Missouri as such Administrator, in the sum of \$6000⁰⁰ with two or more good and sufficient securities, and conditioned according to law.

And now comes said Henry C. Culver and files his said bond, in the sum of \$6000⁰⁰, with H. J. Linch and Rollin J. Britton as securities thereon, and conditioned as the law directs, and it is ordered that said bond be approved, and that A. J. Place and W. C. Lague be appointed as witnesses to assist in making the inventory of said estate, and it is further ordered that said administrator publish notice of the grant of said letters in the Gallatin Democrat as required by law.

In the matter of the estate of { Continuance as to Alva
Alva Prindle & Goldie Prindle, minors }

Comes now Stephen W. Wright, Curator of Alva and Goldie Prindle, minors and files his sixth annual settlement of his account with Goldie Prindle which is by the court ordered approved and recorded.

And said Curator asks continuance as to Alva Prindle, stating that he has attained his legal majority, and that it is his desire to make final settlement with said ward, and it is ordered that said settlement be continued till the 29th inst. at the August Adjourned term. 1908,

In the matter of estate of { Appointment of Guardian and Curator
James Ernest Culver, minor }

Comes now Henry C. Culver and represents and shows to the Court that James Ernest Culver is minor of the age of twelve years that he possesses real and personal estate of the estimated value of \$4000⁰⁰; that he is the child of William J. Culver, deceased, and that said personal estate consists of cash in bank and a note secured by mortgage or trust deed to a total sum of about \$2000⁰⁰, and that Real Estate is as follows: - The North west quarter (14) of the North East quarter (14) of Section Thirty one (31); Township Fifty-nine (59) and Range Twenty Seven (27) in Daviess County, Missouri and containing 40 acres more or less of the probable value of \$2000⁰⁰; That the rents and profits of said land are \$100⁰⁰

August Term — Saturday — August 15th 1908.

and that the rental for the present year ^{will} be due about the 1st day of January 1909; that the said James Ernest Culver is the sole and only heir of the aforesaid William J. Culver who died on August 4, 1908; that the mother of the said James Ernest Culver died about 11 years ago.

And to the end that said property may be properly conserved for the benefit of said minor, petitioner desires and requests that he be appointed Guardian and Curator of said minor.

And the court having confidence in said Henry C. Culver as being a suitable person for such Guardianship, it is ordered that the said Henry C. Culver be and is hereby appointed Guardian of the person and Curator of the estate of James Ernest Culver, minor heir of William J. Culver, deceased, late of Daviess County Missouri; and that he enter in to bond to the State of Missouri for the use and benefit of said minor in the sum of \$5000⁰⁰ with two or more securities to be approved by the Court.

And now comes said Henry C. Culver, and files his said bond in the sum of \$5000⁰⁰ with A. J. Place and H. J. Lynch as securities thereon and conditioned for the faithful discharge of his duties as such Guardian and Curator, and said bond is by order of the Court approved, and said Guardian is ordered to take charge of the estate of said James Ernest Culver and manage and administer the same according to law.

In the matter of the estate of Order of Sale of Real Estate
James Robb, deceased }
George W. Norton Administrator

Now at this day comes Geo. W. Norton Public Administrator having in charge the estate of James Robb deceased, and proves to the Court that the Order of Publication made by the Probate Court of said County, upon his petition at the May Adjourned Term, 1908 thereof, has been published, according to law, and due service thereof had on the heirs and devisees residing in said County, and moves for an order of sale pursuant to said petition and notices; Whereupon the Court proceeds to hear the testimony produced and

to examine the parties who appear touching the application of said Administrator for the sale of Real Estate of said deceased, as in said Publication and petition mentioned; And it being proved to the Court that there are not sufficient personal estate and effects of said deceased charged with the payment of debts, and are not sufficient assets in the hands of said Administrator to pay the debts due and owing by said estate, it is ordered that the said Administrator, first having the same duly appraised according to law, do sell the Real Estate mentioned in said petition, and hereinafter described, at private sale for the purpose of paying the debts due by said estate as aforesaid, at not less than three fourths of its appraised value; said Real Estate being described as follows, to-wit:

Commencing 8 rods west from the Northeast corner of section (27) twenty seven; Township (61) Sixty-one; Range (27) Twenty-seven; thence West 120 rods; thence South 40 rods; thence East to the center of the public Road leading from Madelaine to Jameson; thence North 27 rods; thence West about 9 rods; thence North $12\frac{1}{2}$ rods to the place of beginning; being situate in Daviess County, Missouri; Subject to a Deed of trust for \$1250. held by Joseph Vogel, and dated September 7th 1906 with Seven per cent interest thereon from said 7th day of September 1906.

And it is further ordered that the said George W. Norton sell the same for the purposes in said petition mentioned, on the following terms, to-wit:

For Cash in hand. And said Geo. W. Norton is directed to make report of his proceedings in relation thereto to this Court at its next term, as required by law.

Ordered that the seventh Annual Settlement of Ada M. Royston Curator of the estate of Gladys E. & Lucille D. Royston, minors, this day filed be approved and recorded.

Ordered that the third Annual Settlement of John L. Leopard, Guardian of Gabriel L. Balkinger, Insane, now filed be approved and recorded.

Ordered that Court adjourn till, ^{Saturday,} August 29, 1908 at 9 O'clock A.M.

P. P. Doak, judge.

In the Probate Court In Vacation August 24, 1908

Estate of John Reynolds, { Order refusing Letters of Administration
Deceased.

Now, at this day comes Lettie Reynolds and shows to the Judge of Probate that she is the widow of John Reynolds, deceased, late of Daviess County of Daviess, who died, leaving at the time of his death personal property in this State, not greater in amount than is allowed by law as the absolute property of the widow.

To the end, therefore, that the said Lettie Reynolds as such widow may be authorized and empowered to collect, sue for and retain said property, as her absolute property, as provided by law, it is ordered that Letters of Administration on said Estate be refused, unless ~~upon~~ on the application of Creditors or other parties interested, the existence of further or other property be shown.

P. P. Doak,

Judge of Probate,

In The Probate Court In Vacation August 27, 1908.

In the matter of the Estate of { Order granting Administration,
William T. Miller, deceased }

Comes now this day, Mary E. Miller, widow of William T. Miller, deceased, and files her application for letters of Administration upon the estate of said deceased, and makes affidavit as required by law giving the names and places of residence of the widow and heirs of said deceased, and showing that said W. T. Miller, died without a will on August 10, 1908, and stating that she will make a perfect inventory of and faithfully administer all the estate of deceased, and pay the debts as far as the assets will extend and the law direct, and account for and pay all assets which shall come to her possession or knowledge.

And it appearing to the Judge of Probate that said Mary E. Miller as widow of said deceased is entitled by law to administer said estate, and that she is otherwise a suitable and competent person for such trust, it is ordered that Letters of Administration be granted, and issue to the said Mary E. Miller, thereupon, provided that she enter in to bond to the State of Missouri as such Administratrix, with two or more good and sufficient securities, in the sum of Eighty five thousand Dollars, (\$85,000), and conditioned according to law. — P. P. Doak
Judge of Probate

In the Probate Court — In Vacation — August 28, 1908

State of Missouri, { In Vacation of the Probate Court of said County,
County of Daviess }

Now on this 28th day of August, A.D. 1908, comes Eliza E. Bascue, and gives information in writing to the judge of the probate court of said County, in vacation, that Mary C. Hershberger, a resident of said County, is of unsound mind and incapable of managing her affairs, and praying that an inquiry thereinto be had, and said judge being satisfied there is good cause for the exercise of the jurisdiction of said probate Court in said matter, now calls a special term of said Court to be held on the 4th day of September, A.D. 1908, for the purpose of holding an inquiry, whether the said Mary C. Hershberger be of sound mind or not, and orders that said Mary C. Hershberger be notified of such proceedings at least five days before said special term of said Court.

P. P. Doak, judge of Probate.

In the Probate Court — In vacation — Sept 1, 1908.

In the matter of the Estate of { Letters Testamentary granted
John H. Townsend, deceased }

Now, at that this day comes Mrs. Arbelia Virginia Townsend, who was named by the last will of John H. Townsend, deceased (which will was heretofore declared proven, and admitted to Probate and record by order of this Court) as executrix of said will, and applies for letters testamentary on said estate, and having made the required affidavit, and it appearing that said applicant is a suitable and competent person to administer said estate it is ordered that she be granted letters testamentary upon the same, and in accordance with the provisions of said will that she be not required to give bond, and that J. B. Yates and F. M. Davis be and are hereby appointed witnesses to assist in making an inventory of said estate; also, ordered that she, the said executrix, publish notice of the grant of said letters in the Gallatin North Missourian as is by statute required.

P. P. Doak,

Judge of Probate

In the Probate Court In Special Term - September 4, 1908.

State of Missouri, } ss
County of Daviess. }

Be it remembered that at a special term of the probate Court of Daviess County, Missouri, begun and held at the Court house in the City of Gallatin, County and State aforesaid, on Friday September 4, 1908, there was present P. P. Doak, Judge and W. T. Hutchison Sheriff, when the following proceedings were had, to wit:

In the matter of the alleged insanity of Mary C. Herschberger.

Court met pursuant to the order of the judge in vacation for the purpose of holding an inquiry whether Mary C. Herschberger be of unsound mind or not, and notice to Mary C. Herschberger being returned by W. T. Hutchison, Sheriff of Daviess County Missouri served by delivering to said Mary C. Herschberger, a true copy of the same, and by reading the said notice to and in the hearing of said Mary C. Herschberger and the said Mary C. Herschberger now appears in open Court. -

And now comes a jury duly summoned, to wit:

F. F. Easton, J. M. McClaskey, Wm. Rulon, Wood Cope, Fred Haynes, Howard Roage, Walter Beck, O. T. Wiest, S. B. Godman, J. W. Young, Frank Woodruff and Thomas Puzze twelve good and lawful men, who are duly sworn to well and truly make inquiry and determine whether the said Mary C. Herschberger is a person of unsound mind or not, and the jury having seen and examined the said Mary C. Herschberger and heard the evidence offered touching her condition retired to consider their verdict, and after due deliberation said jury return into open Court and report that they cannot agree upon a verdict.

Whereupon said jury is discharged, and it is ordered that this cause be continued until the regular term of this Court to be held on the 9th day of November A.D. 1908

It is ordered that Court be adjourned.

P. P. Doak
Judge of Probate.

In the Probate Court in Vacation — September 5th, 1908.

In the matter of the Estate of } Bond filed. Letters issued.
William T. Miller, deceased.

Now comes Mary E. Miller, and files her bond as administratrix of the Estate of Wm. T. Miller, deceased, in the sum of Eighty-five Thousand (\$85,000⁰⁰) Dollars with Rollin J. Britton, Abe Hawk, W. W. McKinnis, C. N. Long, J. W. Young, E. M. Street, A. W. Miller and Thomas Potter, securities thereon and conditioned as the law directs, And it is Ordered by the Judge of Probate that said bond be approved, and that letters of Administration upon the estate of said Wm. T. Miller, deceased, issue to the said Mary E. Miller pursuant to the order by the Judge of Probate made on the 27th day of August, 1908, and it is further ordered that J. W. Young and W. W. McKinnis be appointed witnesses to assist said Mary E. Miller, Administratrix as aforesaid to make an Inventory of the property belonging to the said Wm. T. Miller deceased at the time of his death, also that the said Mary E. Miller publish notice of the grant of said letters as required by law.

P. P. Doak

Judge of Probate.

August Adjourned Term — Saturday — August 29th 1908

Court met pursuant to Adjournment, there being present P.P. Doak, Judge, and H.F. Whitt, Sheriff; when the following proceedings were had, to wit:—

Estate of William J. Culver, deceased, { Demand allowed and classified,
Henry C. Culver, Administrator }

Comes now Pettijohn Bros., Undertakers, and presents to the Court for allowance against said estate a demand for the sum of \$110.⁰⁰ founded upon account, funeral of deceased; service of notice being waived in writing and affidavit and proof made it is ordered that same be allowed against said estate in said sum of \$110.⁰⁰ and assigned to Class One (1).

Estate of Wm. J. Culver deceased { Allowance and Classification of Demand
H. C. Culver, Admr. }

Comes Dr. Chas. Pipkin and presents to the Court for allowance against said estate a demand for \$8.⁵⁰ on account of Medical treatment rendered during last sickness of deceased—service of notice waived and affidavit and proof made, it is ordered that said account in the sum of \$8.⁵⁰ be allowed against said estate and placed in Class Number two.

Estate of Wm. J. Culver, { Demand allowed and classified
Deceased }

Now Comes Dr. M. A. Smith, and presents to the Court for allowance against said estate a demand for \$20.⁰⁰ on account of Medical services rendered deceased during last sickness—service of notice being waived and affidavit and proof made it is ordered that same be allowed against said estate in above sum and assigned to Class No. two.

Estate of Wm. J. Culver { Demand allowed & Classified
Deceased }

And now comes J. E. Melborn and presents his account in the sum of \$3.⁰⁰ for services in preparing body for interment—service of notice waived and affidavit and proof made it is ordered that same be allowed against said estate in said sum, and that it be assigned to first class.

August Adjourned Term - Saturday - August 29th, 1908.

Estate of Wm. J. Culver, { Demand allowed and classified.
deceased,

And now L. Schuyhart presents to the Court for allowance against said estate a demand for \$7.50 on account of balance for board and washing - Service waived, affidavit and proof made it is ordered that same be allowed as a fifth class demand against said estate.

Estate of Wm. J. Culver { Demand allowed and classed.
deceased,

And now Comes R. L. Etter, manager, and presents to the Court for allowance against above estate a demand of H. H. Etter D. G. Co. in the sum of \$25.65 on account of suit and other articles furnished for burial of deceased - Service waived and affidavit and proof made. it is ordered that same be allowed against said estate in first Class.

Estate of Wm. J. Culver { Demand allowed and Classified
Deceased

Comes also, C. D. Manna, Cash, and presents to the Court for allowance against said estate a Demand of Farmers Ex. Bank for \$79.01 on account of overdraft; Service waived and affidavit and proof made it is ordered that said demand be allowed against said estate in above sum of \$79.01 in Class five.

In the matter of Estate of { Final receipts filed - partial Discharge,
Julius M. Gant, deceased

Comes now Samuel Gant, Administrator of said Julius M. Gant and files the receipts of distributees of said estate as follows:
Nannie Gant for \$125.00 her share being \$119.20,
Arvil Gant for \$125.00 " " 119.20,

And Assignment to Samuel Gant of Agnes Goodbar and

Walter E. Goodbar her husband - the sum of 119.20

Samuel Gant for his share - " " " 119.20

N. S. Givens, Assignee of Richard Gant " " " 119.20

and of Mary Houghton the sum of \$100.00 as part of share of 119.20

and it is ordered that said Administrator be discharged, here in as to said Nannie Gant, Arvil Gant, Agnes Goodbar Samuel Gant and Richard Gant - and as to Mary Houghton to the amount of said receipt for the sum of \$100.00

August Adjourned Term — Saturday — August 29th, 1908.

In the matter of the estate of } Final Settlement and discharge.
Henry O. Witten, a minor }

Comes now Louisa J. Witten Guardian and Curator of Henry O. Witten, a minor, and files her final settlement with said minor, who also appears in open Court and states that he is 21 years of age and fully competent to make said settlement and in writing he the said Henry O. Witten waives the necessity of the making and filing a Final Settlement Exhibit, and of the service of notice of the filing of such exhibit, or notice of any kind whatever of this final settlement, and gives his consent to the discharge, by this Court, of his said guardian and Curator — acknowledging the receipt of the sum of \$562.¹⁵ as being in full payment and satisfaction of all money and property due to him by said guardian.

And the Court having examined said settlement so filed, and finding the same correct, it is therefore ordered that same be approved and recorded, and that said Louisa J. Witten be discharged herein of the Guardian and Curatorship of said Henry O. Witten.

Ordered that the First Annual Settlement of Chas. E. Orcutt, Executor of Sarah W. Orcutt, deceased, this day filed be approved and recorded.

In the matter of the estate of } Second Annual Settlement — Order suspension,
John Castor, deceased }

Comes now Wm. G. Castor, Executor of Jno. Castor, deceased, and files his Second Annual Settlement of said estate which shows said estate debtor to said executor in the sum of \$58⁰⁰ — And it appearing that there is no other property to be administered during the life time of the widow of said deceased — it is ordered that said settlement be approved and recorded and that the administration of said estate be suspended, until such time as the Court shall order the same to ^{be} completed in accordance with the provisions of the last will of said deceased.

In the matter of the estate of } Order Private Sale personally,
David A. Miller deceased }

Now comes Mrs. Minnie E. Miller, Administratrix of said estate and files her written application for permission to sell Three fat 3 year old heifers and Twenty five (25) grown hogs when fattened belonging to said estate at private sale, and the Court being satisfied that it will